

SOUTHERN DISTRICT OF NEW YORK

KWAIN THOMPSON B&C # 349-19-01450

RECEIVED

PLAINTIFF

SDNY PRO SE OFFICE

-AGAINST-

2023 MAR 10 PM 3:10

CAPTAIN LEMON GRVC, C.O. LOTT SHEILD # 20075 CAPTAIN MOODY GRVC, DW PHILLIPS, GRVC
 CITY OF NEW YORK, LOUIS MOLINA COMMISSIONER OF DEPT OF CORRECTION, ASSISTANT
 COMMISSIONER WHO WAS PRESENT WITH CIB ON JAN/3/2023 SEARCH AT WEST FACILITY,
 CIB CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD
 # 462, GRVC CAPTAIN JOSEPH, SRT CAPTAIN #1, SRT CAPTAIN #3, SRT CAPTAIN #4,
 SRT OFFICERS #'S 102, 120, 182, 74, 75, 78, 77, 79, 65, 80, 88, 82, 203, 111,
 113, 112, FEMALE OFFICER BEATHEA FROM WEST FACILITY SPRUNG 6, MALE OFFICER
 RICHARDSON WEST FACILITY SPRUNG 6, SECURITY CAPTAIN ROLLINSON WEST FACILITY
 SPRUNG 6, VISITATION OFFICER DANIELS WEST FACILITY SPRUNG 6, C.O. ANDERSON
 RECREATION CAPTAIN FROM JAN/7/2023 WEST FACILITY, ESU CAPTAIN RIVERA, ESU
 CAPTAIN # 28, ESU OFFICER NAME UNKNOWN SHEILD # 4190, CAPTAIN RIVERA SHEILD
 # 1230 (GRVC), SECURITY MCNEIL (GRVC) ADW HENRY (GRVC) CAPTAIN PALEMERO FROM
 GRVC ON 1/27/2023, C.O. RODRIGUEZ FROM GRVC ON 1/27/2023. CAPTAIN GUAN SHEILD #
 367, C.O. WOLOSİK (GRVC) ON 1/27/2023, ASSISTANT COMMISSIONER THOMAS GRIFFIN,
 CAPTAIN CARTER (GRVC), CAPTAIN MATHIS SRT, C.O. KESSIA LIETCH, C.O. BRANCHE
 CAPTAIN MERENYCH SHEILD # 1826, GRIEVANCE MAN PARRIS. DEFENDANTS

CIVIL ACTION NO. _____

TRIAL REQUESTED

COMPLAINT

PURSUANT TO: 42 U.S.C. & 1983, 42 U.S.C. & 1985, 42 U.S.C. & 1986, 42 U.S.C.
 & 2000aa et Seq, 42 U.S.C. & 2000cc, 42 U.S.C. 2000dd & AMERICAN DISABILITIES
 ACT, NYC ADMIN CODE & 9-108, CORRECTION LAW & 500-C(4), RULE OF NEW YORK
 CITY 40 & 3-02, PLAINTIFF, BY WAY OF ACTING PRO-SE STATES AND ALLEGES AS
 FOLLOWS AND BELIEF:

PRESERVATION REQUEST/NOTICE/DEMANDS:

IN ORDER TO ENSURE THAT EVIDENCE IS NOT LOST/DAMAGE/ERASED IN THIS ACTION
 PLAINTIFF DEMAND THAT ALL VIDEO FOOTAGE FROM WEST FACILITY SPRUNG 6 HOUSING
 IN IT

AND THE RECREATION YARD FOOTAGE AT WEST FACILITY AND VIDEO FOOTAGE FROM THE VISITING ROOM AT WEST FACILITY SPRUNG 6, AS WELL AS VIDEO FOOTAGE FROM GRVC HOUSING UNIT 1/A FROM DEC/2/2022 TO JAN/16/2023 AND JAN/16/2023 TIL PRESENT INSIDE GRVC BE PRESERVED ON CAPTION AND WITHIN COMPLAINT AS WELL AS ALL BODY CAMERAS USED BY THE SRT TEAMS AT WEST FACILITY AND GRVC AS ~~X~~WELL AS ESU TEAM AND HANDHELD MINI CAM FROM THESE DATES IN ALL COMMON AREAS OF THESE TWO FACILITY THAT CAME IN CONTACT WITH PLAINTIFF AS DESCRIBED HEREIN THIS COMPLAINT.

PRELIMINARY STATEMENT

PLAINTIFF COMMENCES THIS ACTION PURSUANT TO 42 U.S.C. 1983 AND OTHER RESPECTED FEDERAL STATUES, SEEKING PUNITIVE, COMPENSATORY, INJUNCTIVE AND DECLARTORY DAMAGES/RELIEF AGAINST THE DEFENDANTS NAMED HEREIN, TO BE SUED IN BOTH THIER INDIVIDUAL AND OFFICIAL CAPACITIES FOR THE VIOLATION OF MY STATE AND FEDERAL RIGHTS WHILE ACTING UNDER COLOR OF LAW, TOGETHER WITH REASON-ABLE FILING FEES AND COPIES FOR COST PURSUANT TO 42 U.S.C. & 1983. PLAINTIFF ALSO ASSERTS SUPPLEMENTAL STATE LAW DUTIES/CLAIMS AGAINST THE DEFENDANTS AS WELL AS CLAIMS FOR VIOLATIONS OF THIER STATUTORY AND COMMON LAW DUTIES, AS WELL AS CLAIMS OF RETALIATION, NEGLIGENCE, NEGLIGENT HIRING, TRAINING, SUPER-VISION AND RETENTION, INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS.

SPECIAL NOTICE: AT ALL TIMES DURING AND THROUGHOUT IT WAS OBVIOUS THAT THE DEFENDANTS NAMED HEREIN WHERE ATTEMPTING TO HIDE/COVER OR OTHERWISE PREVENT THE PLAINTIFF FROM BEING ABLE TO CAPTURE THE DEFENDANTS NAME AND SHEILD NUMBERS AS TO AVOID PROSECUTION IN THE VIOLATIONS LISTED HEREIN. THIS FACTOR IN ITSELF VIOLATES THE NEW YORK CITY DEPARTMENT OF CORRECTION UNIFORM CODE IN RELATION TO CORRECTION PERSONNEL ALWAYS DISPLAYING IDENTIFYING INFORMATION SUCH AS NAME AND BADGE NUMBER AND NAME TAGS.

PARTIES:

AT ALL TIMES MENTIONED HEREIN, PLAINTIFF WAS AND REMAINS A RESIDENT OF THE STATE OF NEW YORK.

AT ALL TIMES MENTIONED HEREIN, PLAINTIFF WAS AND REMAINS A PRETRIAL DETAINEE CONFINED

Case 1:23-cv-02102-JPO-KHP Document 1 Filed 03/10/23 Page 3 of 130
TO THE CUSTODY, CONTROL AND CARE OF THE DEFENDANT "CITY OF NEW YORK " AND ITS DEPARTMENT OF CORRECTIONS.

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, THE DEFENDANT, CITY OF NEW YORK (HEREINAFTER REFERRED TO AS "CITY"), WAS AND REMAINS THE BODY OF CORPORATE AND PUBLIC, CONSTITUTING A MUNICIPAL CORPORATION DULY ORGANIZED AND EXISTING UNDER AND VIRTUE OF THE LAWS OF THE STATE OF NEW YORK.

UPON INFORMATION AND BELIEFS, AND AT ALL TIMES MENTIONED HEREIN, THE CITY MAINTAINS THE DUTY OF NEWYORK CITY DEPARTMENT OF CORRECTIONS (HEREIN AFTER REFERRED TO AS "DOC"), PURSUANT TO LAW.

UPON INFORMATION AND BELIEFS, AND ALL TIMES MENTIONED HEREIN, DEFENDANT LOUIS MOLINA WAS AND IS THE NYC DOC COMMISSIONER AND IS EMPLOYED BY THE DEFENDANT "CITY" HOLDING THAT POSITION IN AN OFFICIAL CAPACITY.

UPON INFORMATION AND BELIEFS, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT ERIC ADAMS IS THE MAYOR OF THE CITY OF NEW YORK HOLDING DIRECT SUPERVISION OVER "DOC" IN HIS OFFICIAL CAPACITY.

UPON INFORMATION AND BELIEFS, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT DEPUTY WARDEN MILLER WAS AN CORRECTION OFFICER OF SECURITY, EMPLOYED BY THE DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT SECURITY CAPTAIN ROLLINSON OF WEST FACILITY WAS AN CORRECTION OFFICER EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEFS, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT ASSISTANT COMMISSIONER WHO WAS PRESENT WITH CIB ON JAN/3/2023 SEARCH AT WEST FACILITY, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEFS, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT CIB CAPTAIN FLUKA, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT WARDEN COLLINS, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND ALL TIMES MENTIONED HEREIN, DEFENDANT

CAPTAIN LOPEZ SHEILD#462, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT
(GRVC) CAPTAIN JOSEPH, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEFS, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT
SRT CAPTAIN #1, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT
SRT CAPTAIN #3, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT
SRT CAPTAIN #4, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANTS
SRT OFFICERS NUMBERS#'S 102, 120, 182, 74, 75, 77, 79, 65, 80, 88, 82, 203, 111,
113, 112, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT
FEMALE CORRECTION OFFICER BETHEA FROM SPRUNG 6 WEST FACILITY, WAS EMPLOYED
BY DEFENDANT CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT
MALE BLK CORRECTION OFFICER RICHARDSON FROM SPRUNG 6 WEST FACILITY, WAS
EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT
VISITATION CORRECTION OFFICER DANIELS SPRUNG 6 WEST FACILITY, WAS EMPLOYED
BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT
CO. ANDERSON RECREATION CAPTAIN FROM JAN/7/2023 WEST FACILITY, WAS EMPLOYED
BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT
ESU CAPTAIN RIVERA, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT ESU CAPTAIN #28 WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT (GRVC) SECURITY OFFICER MCNEIL, WAS EMPLOYED BY DEFENDANT CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT CAPTAIN RIVERA SHEILD # 1230, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT ADW HENRY (GRVC), WAS EMPLOYED BY DEFENDANT CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT (GRVC) CAPTAIN GUAN SHEILD #367, WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT C.O. RODRIGUEZ FROM HOUSING UNIT 1/A ON 1/27/2023 (GRVC), WAS EMPLOYED BY DEFENDANT CITY.

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT CAPTAIN PALEMERO FROM HOUSING UNIT 1/A (GRVC) ON 1/27/2023 MORNING TIME, WAS EMPLOYED BY DEFENDANT CITY OF NEW YORK.

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT (GRVC) HOUSING UNIT 1/A CORRECTION OFFICER WOLOSİK ON 1/27/2023 MORNING TIME WAS EMPLOYED BY DEFENDANT "CITY"

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT ASSISTANT COMMISSIONER THOMAS GRIFFIN, WAS EMPLOYED BY DEFENDANT "CITY"

STATEMENT OF FACTS :

1. ON DECEMBER/2/2022 THE PLAINTIFF WAS TRANSFERRED FROM (GRVC FACILITY) TO (WEST FACILITY SPRUNG 6 CELL 14)
2. WHILE BEING TRANSFERRED OUT OF GRVC DEFENDANTS SECURITY OFFICER MCNEIL AND ADW HENRY TOLD ME SINCE I LIKE FILING LAWSUITS AGAINST US AND OUR STAFF WE ARE MOVING YOU TO WEST FACILITY TO MAKE SURE YOUR TORTURED MORE, YOU WILL NOT BE ABLE TO GET NO CONTACT VISITS WITH YOUR FAMILY, FOR NOW ON YOU AND YOUR FAMILY WILL HAVE BOOTH VISITS AND OTHER JAILS WILL HAVE CONTACT VISITS EXCEPT YOU.

STATEMENT OF FACTS

ON 2/7/23 AT 9:30PM PLAINTIFF WAS ESCORTED TO THE MAIN CLINIC INSIDE GRVC BY CAPTAIN MERDERINCH AND C.O. PAULINO. WHILE WALKING TO THE MAIN CLINIC BOTH OFFICERS HAD THIER BODYCAMS ON. PLAINTIFF WAS EXPLAINING TO BOTH OFFICERS ON BODYCAM THAT HE HAS NOT BEEN RECIEVING HIS MORNING MEDICATION AT SCHEDULE TIME SINCE RETURNING BACK INTO THIS JAIL ON JAN/16/23. INFACIT PLAINTIFF STATES TO THESE OFFICERS THAT HIS MORNING HIGH BLOOD PRESSURE MEDS ARE NOW GIVEN TO HIM IN THE LATE AFTERNOON BECAUSE ADW HENRY SHEILD# 1038 AND SECURITY OFFICER MCNIEL HAS INSTRUCTED ALL MEDICAL ESCORT OFFICERS TO MAKE SURE PLAINTIFF GETS HIS MEDICATION LAST, AND IF THEY CAN'T MAKE PLAINTIFF MISS HIS MEDS THEY SHOULD BE REWARDED. THE LATER THE BETTER FOR PLAINTIFF SINCE HE WON'T DROP HIS LAWSUIT~~SX~~ AGAINST US. WHEN PLAINTIFF IS RETURNED BACK TO HIS HOUSING UNIT BY CAPTAIN AND OFFICER PAULINO, CAPTAIN MERENYCH SHEILD# 1826 TRYED AT 1948 HRS TO GET PLAINTIFF TO SIGNED OFF ON A FALSFIED DOCUMENT PERTAINING TO CMC STATUS. PLAINTIFF INFORMED CAPTAIN MERENYCH SHEILD#1826 THAT HE WAS NOT CMC AND NEVER HAD A HEARING DESIGNATING HIM CMC STAUS AND WILL LIKE TO BE TAKEN OFF IMMEADIATELY. MY DUE PROCESS RIGHTS HAS BEEN VIOLATED PLAINTIFF TOLD THE CAPTAIN. CAPTAIN PROMISED PLAINTIFF HE WILL TAKE HIM OFF RIGHT AWAY BECAUSE HE KNOW ITS WRONG IF HEARING WASN'T HELD FOR CMC DETERMINATION. HE LIED TO PLAINTIFF AND FAILED PLAINTIFF IN EVERY ASPECT OF HIS DUTIES AS CAPTAIN. PLAINTIFF SIGNED THIS DOCUMENT BY STATING NO HEARING AND STOP SENDING FALSE DOCUMENTS WITH NO CHANCE OF APPEALING, PLAINTIFF TOLD CAPTAIN THAT HE WROTE TO THE ADDRESS ON THE DOCUMENT OVER 10 TIMES TO NO AVAIL, FOR AN APPEAL. THIS SIGNING OF DOCUMENT WAS WITNESS BY C.O. SANCHEZ SHEILD# 13153, THIS DOCUMENT IS EXHIBIT-A WHERE DOWN TO TYPE OF HOUSING IS FALSE, IT STATES GP HOUSING WHICH IS A LIE.

AT 8AM ON 2/8/23 SEE GENTEC FROM HOUSING UNIT 1/A GRVC. PLAINTIFF HAD NO BROOM OR DUSTPAN TO PROPERLY CLEAN HIS CELL. PLAINTIFF HAD TO USE A MAKESHIFT BROOM AND USE A PIECE OF PAPER TO PICK UP THE DIRT. PLAINTIFF HAS AN INFESTATION OF MICE AND ROACHES INSIDE HIS CELL DUE TO A LACK OF CLEANING SUPPLIES. PLEASE SEE GENTEC FOOTAGE. PLAINTIFF HAVE CHRONIC ASTHMA AND MICE AND ROACHES IS WHAT TRIGGERS HIS ASTHMA. TO ADD INSULT TO INJURY AT 9AM SANITATION CAME AND SWEPT COMMON AREA OUTSIDE CELL WITH PROPER EQUIPMENT TO CHATISED PLAINTIFF AND LEFT. OTHER UNITS INSIDE GRVC ARE SHORT OF NO SUPPLIES "SEE GENTEC FOOTAGE OF OTHER UNITS INSIDE GRVC" PLAINTIFF IS BEING RETALIATED BECAUSE OF PENDING LAWSUITS THIER ARE TRYING TO GET HIM TO DROP. ON 2/8/23 AT 11:30 PLAINTIFF WAS ESCORTED TO MINI CLINIC TO TAKE HIS MORNING MEDICATION WHICH IS 5 HRS PAST SCHEDULE. SEE GENTEC FOOTAGE. RICKY TORRES IS AN 21YR OLD INMATE LOCKED IN 7 CELL ON HOUSING UNIT 1/A IN GRVC FOR 23/HOURS OUT THE DAY. THIS IS A VIOLATION OF DOC POLICY TO LOCK A 21YR OLD IN A CELL FOR 23/HOURS OUT THE DAY. PLAINTIFF IS SCARED FOR RICKY TORRES LIFE, AND IS SO SCARED THAT RICKY TORRES IS GOING TO HANG UP IN HIS CELL. PLAINTIFF HEAR RICKY TORRES SCREAMS EVERYNIGHT AND HIS PLEADING WITH PLAINTIFF THOMPSON TO GET HIM R SOME HELP FROM THE OUTSIDE WHEN PLAINTIFF THOMPSON GOES ON HIS VISITS. RICKY TORRESS WROTE A SWORN AFFADAVIT TO BE ATTACHED TO PLAINTIFF COMPLAINT TO SHOW THE ATROCITIES THAT'S BEING CARRIED ON BY DOC STAFF WITH REGARDS FOR HUMAN LIFE NOR HUMAN DIGNITY, SEE EXHIBIT-B RICKY TORRES SWORN AFFADAVIT.

"CITY POLICY WITH RESPECT TO STAFF-INMATE SEXUAL MISCONDUCT IN ITS PRISONS" PURSUANT TO A 2007 DIRECTIVE OF THE NEW YORK CITY DEPARTMENT OF CORRECTION (DOC), THE CITY HAS ZERO TOLERANCE POLICY" WITH REGARD TO BOTH "INMATE-ON-INMATE AND STAFF ON INMATE SEXUAL ABUSE AND SEXUAL THREATS."(DOC DIRECTIVE 5010 ON PREVENTING INMATE SEXUAL ABUSE ("DIRECTIVE 5010"), MAY 1, 2007, ECF NO.67, EX C; SEE CUSSEN DEP.62:4-10, ECF NO.67, EX B.) THE DIRECTIVE MAKES ALL DOC EMPLOYEES MANDATORY REPORTERS OF STAFF-INMATE SEXUAL ABUSE AND

ADVISES THEM THAT A FAILURE TO REPORT WILL RESULT IN DISCIPLINARY ACTION.

(DEFS. 56.1 STATEMENT!! 14-15;SEE DIRECTIVE 5010 AT IV.)

STATE AND FEDERAL LAW ALSO RECOGNIZED AND SEEK TO ELIMINATE SUCH CONDUCT. AND DEFINES ANY SUCH CONDUCT AS SEXUAL ABUSE OR RAPE. N.Y.PENAL LAW&& 130.05(3)(e)-(f), 25(1),60(1). IN ADDITION CONGRESS ENACTED THE FEDERAL PRISON RAPE ELIMINATION ACT(PREA) PREA HOTLINE THAT ANY INMATE/DETAINEE IS DIALED 718-204-0378 OR/AND 212-266-1900--PLAINTIFF KWAIN THOMPSON WAS NOT ALLOWED TO CALL THIS NUMBER AS WELL AS RICKY TORRES AND ALEXANDER WILLIAMS ALL HOUSED IN GRVC UNIT 1/A IN FULL VIOLATION OF FEDERAL LAW ENACTED BY CONGRESS "34 U.S.C & 30302(1). PLAINTIFF HAS BEEN SEXUALLY ABUSED THE 4YRS HE'S BEEN HOUSED ON RIKER'S ISLAND. AND COULD NOT CALL THE PREA HOTLINE NUMBER BECAUSE DOC STAFF HAD ~~THE~~ NUMBER TAKEN OFF HIS PHONE LIST IN FULL RETALIATION. PLAINTIFF AS WELL COULD NOT ACCESS THE MEDICAL HOTLINE 614# AFFORDED TO ALL INMATES/DETAINEES/PRISONERS. EXCEPT PLAINTIFF THOMPSON, RICKY TORRES AND ALEXANDER WILLIAMS ALL HOUSED IN COURT-ORDER LOCKDOWN UNIT 1/A IN GRVC FACILITY. PLAINTIFF COULD NOT ACCESS PREA BECAUSE OFFICERS WILL MAKE SURE HE WILL MISS HIS SCHEDULED MEDICAL APPOINTMENTS. "SEE PLAINTIFF MEDICAL RECORDS TO SHOW ALL THE MISSED MEDICAL APPOINTMENTS TO NO FAULT OF HIS OWN" PLAINTIFF COULD NOT ACCESS PREA THROUGH THE MEDICAL HOTLINE 614# LIKE OTHER INMATES BECAUSE IT WAS INTENTIONALLY TAKEN OFF BY SECIRITY OFFICER MCNIEL AND ADW HENRY. PLAINTIFF KWAIN THOMPSON COULD NOT ACCESS PREA FOR A FULL 6 WEEKS THAT HE WAS HOUSED IN SPRUNG 6 WEST FACILITY, BECAUSE WEST FACILITY C.D.U IS FOR DISEASE ONLY AND HAVE NO GRIEVANCE MECHANISM OR BOX. AND PLAINTIFF HAD MANY ATTEMPTS USING OFFICERS LIKE CAPTAIN GUAN WHO WAS TOLD BY PLAINTIFF- MANY TIMES ON BODYCAM HE WAS NOTX SAFE FROM SEXUAL ABUSE AND CAPTAIN GUAN DID NOT REPORT LIKE DOC POLICY STATES.

NO SPOILATION OF GENTECT FOOTAGE PLEASE PRESERVED ALL FOOTAGE FROM

EVERY FACILITY HOUSING ARE PLAINTIFF KWAIN THOMPSON WAS AT, IF SPOIL-
ATION OCCURS SANCTIONS SHAL BE BROUGHT DEFENDANT "CITY" AND DOC STAFF.
IN 2014, DOC HIRED THE MOSS GROUP, A CONSULTING FIRM TO REVIEW WHETHER
ITS POLICIES WITH REPSECT TO SEXUAL MISCONDUCT COMPLIED WITH THE PREA
AND TO RECOMMEND IMPROVEMENTS.

IN 2015 THE MOSS GROUP ISSUED ITS FINDINGS AND REPORTED THAT MECHANISMS
TO REPORT SEXUAL MISCONDUCT DID NOT ACTUALLY FUNCTIONED ON RIKER'S
PLAINTIFF REPORTING SEXUAL ABUSE THROUGH OFFICERS WILL SEVERLY MISHANDLED,
AND WILL BREACH CONFIDENTIALITY. PLAINTIFF INVESTIGATIONS OF XOFFICERS
WENT ON DEAF EARS FROM DEPT INVESTIGATORS BECAUSE THEY NEVER MOVED PLAIN-
TIFF WHOM IS DEEM A VUNERABLE INMATE TO A SAFER ~~XXXX~~ HOUSING UNIT. NOR
WAS ANY OFFICER WAS INTERVIEWED BY THESE INVESTIGATORS THEY WILL NOT
COMPLY, WITH A PROMISE THAT ANY STATEMENT WILL NOT BE USED AGAINST THEM
IN A CRIMINAL PROSECUTION, THEY WOULD NOT SPEAK TO THE (INVESTIGATION
DIVISION). IF TRUE, THEY WILL BE SUBJECTED TO TERMINATION OR DISCIPLINE
PER INVESTIGATION DIVISION DIRECTIVE #7000-R. NO MENTIONED WAS EVER MADE
TO PLAINTIFF THAT INTERVIEWS WERE ATTEMPTED WITH THESE STAFF AND REFUSED,
SO THE CONCLUSION IS THAT THEY WERE NEVER CALLED TO BE INTERVIEWED. THIS
SIGNIFICANT PIECE OF MISSING INFORMATION TAINTS THE CONCLUSIONS OF EVERY
INVESTIGATION REVIEWED. ONE CANNOT TAKE AN INMATE REPORT AND NEVER TAKE
THE STATEMENT OF THE ACCUSED STAFF AND ALL OTHER POSSIBLE WITNESSES AND
CONCLUDE THE ALLEGATIONS IS UNFOUNDED. (MOSS REPORT)

TODAY ON 2/8/23 GRIEVANCE MAN NAMED PARRIS GRVC HANDED PLAINTIFF A COPY
OF A GRIEVANCE WHICH STATED THAT HE WAS NOT ALLOWED TO BE SUBJECTED
TO MY PREA COMPLAINT ON DOC STAFF. AND PLAINTIFF TOLD PARRIS IT A DUTY
THAT ALL DOC STAFF CAN REPORT THE COMPLAINT. HE SAID HE DID NOT CARE
ABOUT WHAT THE POLICY X STATES AND WALKED AWAY.

ON 2/9/23 AT 7:30AM HOUSING UNIT 1/A C.O. VERA DID A CELL SEARCHED OF PLAINTIFF CELL. WHEN PLAINTIFF INFORMED C.O. VERA THAT HIS CELL WAS SEARCHED YESTERDAY AT THE SAME TIME AND HE GOT THE RIGHT TO BE FREE FROM EXCESSIVE SEARCHES SHE RESPONDED THAT SHE'S DOING WHAT SHE'S TOLD BY ~~XXXXX~~ SUPERIORS. PLAINTIFF ASKED WHO GAVE HER THE ORDER ? SHE RESPONDED THAT CAPTAIN LEMON TOLD HER TO CAUSE DAMAGE TO PLAINTIFF PROPERTY. THIS CAPTAIN LEMON IS IN ANOTHER CIVIL LITIGATION BY PLAINTIFF WHERE CAPTAIN REFUSED TO GIVE PLAINTIFF HIS ASTHMA PUMP WHEN HE COULDN'T BREATHE IN THE SEG INTAKE AT GRVC IN 2022. SO SHE IS RETAILIATING BY HAVING PLAINTIFF SEARCHED EVERYDAY. ALSO ON 2/9/23 C.O. BRANCHE WHOM PLAINTIFF HAVE A SEPARATION ORDER ON. WAS WORKING THE HOUSING UNIT AND WAS ASKED TO OPEN PLAINTIFF CELL DOOR BECAUSE PLAINTIFF WAS HAVING AN ASTHMA ATTACK AND CAN'T BREATHE. C.O. REESE AND C.O. BROS WAS WORKING THE HOUSING UNIT 1/A AROUND 9AM AND BOTH THESE OFFICERS GAVE C.O. BRANCHE TO OPEN PLAINTIFF CELL DOOR. C.O. BRANCHE REFUSED. SO C.O. BROS WROTE IN THE LOG BOOK THAT PLAINTIFF NEEDED AN MEDICAL EMERGENCY. SEE; LOGBOOK 1/A) PLAINTIFF SUFFERED A WHOLE HOUR BEFORE HE WAS ALLOWED TREATMENT FOR ASTHMA. PLAINTIFF HAVEN'T TRULY SUFFERED AS A RESULT OF FILING LAWSUITS ABOUT HIS LIVING CONDITIONS ON RIKER'S ISLAND FOR 4YRS. CAPTAIN LEMON SEARCH VIOLATES PLAINTIFF 4TH AMENDMENT RIGHTS, WHICH "PROTECTS INDIVIDUAL PRIVACY AGAINST CERTAIN KINDS OF GOVERNMENTAL INTRUSION." SEE; BELL-V-WOLFISH, 441 U.S. 520, 558 (1979). PLAINTIFF WAS HARRASSED AND INTIMIDATED, AND PUNISH BY THESE SEARCHES THAT WAS STRATEGICALLY DESIGNED BY DOC AND SERVED ANY LEGITIMATE OR/AND PENOLOGICAL PURPOSES. SEE; DAVILA-V-MESSIER, NO. 13 CIV, 81 (SRU), 2014 WL 4638854, AT 6 (D. CONN. SEPT. 17, 2014).

IT IS "CLEARLY ESTABLISHED" THAT PRISON OFFICIALS CANNOT RETAILIATE AGAINST INMATES FOR FILING LAWSUITS. SEE; FARID-V-GOORD, 200 F. SUPP.2D 220, 245 (W.D.N.Y. 2002)

ON 2/10/23 AT 8AM A MEDICAL EMERGENCY WAS CALLED BY OFFICER SCOTT FOR PLAINTIFF KWAIN THOMPSON. AT THIS TIME OFFICER BRANCHE CALLED MEDICAL AND TOLD THEM TO CANCEL THE EMERGENCY. PLAINTIFF NOTIFIED CLINIC AND MEDICAL STAFF ON 2/7/23 & 2/8/23 & 2/9/23 ABOUT PREA ALLEGATIONS AND ABOUT A SEPARATION ORDER. NO ONE IN THE DEPT OF CORRECTION, NO ONE TOOK CARE OF THE SEPARATION ORDER BETWEEN BRANCHE AND PLAINTIFF. C.O. BRANCHE ON NUMEROUS OCCASSIONS HAS NOT OPEN PLAINTIFF CELL DOORS WHEN INSTRUCTED BY A CAPTAIN TO DO SO. AND TODAY ON BODY 2/10/23 OFFICER LOTT WAS TOLD BY PLAINTIFF THROUGH CELL DOOR THAT HE WILL LIKE TO MAKE A PREA COMPLAINT. MS. LOTT HAS FAILED IN HER DUTY TO ALERT THE RIGHT OFFICIALS WHEN IT COMES TO PREA COMPLAINTS. MS. LOTT SHILED# 20075

ON 2/10/23 PLAINTIFF INFORMED C.O. LOTT AND CAPTAIN TAYLOR ABOUT HIS MORNING MEDICATION FOR HIGH BLOOD AND ASK THEM BOTH IS THERE ANY CHANCE HE CAN RECIEVE HIS MORNING MEDICATION ON TIME? AND BOTH SAID;"WE HEARD ABOUT YOUR NUMEROUS LAWSUITS, SO WE ARE HERE TO TELL YOU YOUR SERVICES WILL BE ALOT SLOWER THAN OTHER INMATES, YOU BROUGHT THAT ON YOURSELF, NOBODY IN THIS JAIL LIKES YOU. PLAINTIFF HAD TO SEE AN EMERGENCY MENTAL HEALTH STAFF AFTER HEARING THIS INFORMATION BY DOC OFFICERS. PRETRIAL DETAINEES ARE PROTECTED BY THE DUE PROCESS CLAUSE OF THE 14TH AMENDMENT UNDER WHICH THEY MAY BE SUBJECTED TO "THE RESTRICTIONS AND CONDITIONS OF THE DETENTION FACILITY SO LONG AS THOSE CONDITIONS AND RESTRICTION DO NOT AMOUNT TO PUNISHMENT, OR OTHERWISE VIOLATE THE CONSTITUTION "BELL-V-WOLFISH, 441 U.S. 520, 99 S CT. 1861, 1872-73 , 60 L. Ed 2d 447 (1979) AT 10AM ON 2/10/23 C.O. LOTT GAVE A PLASTIC GARBAGE BAG TO URINATE INTO TO PLAINTIFF. PLAINTIFF TOLD C.O. LOTT THAT THIS FEELS HUMILIATING AND HE WILL LIKE TO USE THE TOILET LIKE A HUMAN BEING. SHE SAID YOU WILL NOT, USE THE BAG OR PISS ON YOURSELF OR ON THE FLOOR. PLAINTIFF STATES WHY THERE'S NO TOILET IN CELL # 1 ? PLAINTIFF USES CELL # 1 EVERYDAY TO DO HIS LEGAL WORK. BUT WHEN HE USES THIS CELL THE ONLY ALTERNATIVE IS TO URINATE/DEFICATE IN A BAG OR ON CELL FLOOR OR NOTHING AT ALL.

ON 2/10/23 PLAINTIFF WAS TAKING TO MAIN CLINIC FOR A CONFIDENTIAL ALLEGATION AND WAS SEEN BY DR. BACKMORE. AFTER HE WAS SENT TO SEE MENTAL HEALTH STAFF ~~XXX~~ LISA RIVERA. PLAINTIFF TALKED ABOUT THE CONSTANT SEXUAL HARRASMENT BY C.O. BRANCHE. ~~X~~AND THE CONSTANT RETAILIATION WHEN HE DON'T COMPLY. ANOTHER MENTAL HEALTH REFERRAL WAS GENERATED ON PLAINTIFF BEHALF. AFTER PLAINTIFF RETURN FROM MAIN CLINIC, PLAINTIFF HAD TO EMPTY THE PISS IN THE PLASTIC BAG IN CELL # 1 AND SHOWED CAPTAIN TAYLOR THE TREATMENT HE RECIEVED FROM C.O. BRANCHE. IT WASN'T UNTIL 12:30PM PLAINTIFF GOT HIS MORNING MEDICATION WHICH IS SUPPOSE TO BE DISTRUBED AT 5AM TO 9AM. NURSE BLOUNT TOLD CAPTAIN TAYLOR SINCE IV'E BEEN HERE SINCE 8AM I MADE SURE HE WAS LATE, HE SUING ME AND THAT'S A PROBLEM. PLAINTIFF TOLD CAPTAIN TAYLOR THAT HE WANTED TO BE TRANSFERRED OUT THIS FACILITY BECAUSE HE DON'T FEEL LIKE HE WILL SURVVIVE ANOTHER DAY WITHOUTH HIS MEDICATION BEING ON TIME. PLAINTIFF BELIEVES HE HAS MINI-STROKES THROUGHOUT THE DAY AND NIGHT. AND HAS CONSTANT PAIN AROUND THE CHEST AND THROAT AREA. THIS INABILITY TO GET PLAINTIFF HIS LIFE SAVING MEDICATION ON TIME HINDERS PROPER HEALTH CARE. AT 1:45PM ON 2/10/23 PLAINTIFF WAS PASSED ANOTHER PLASTIC BAG TO URINATE AND DEFICATE IN BY FEMALE OFFICER ON HOUSING UNIT ~~XXX~~ 1/A WHILE CAPTAIN IS NOT ALLOWING PLAINTIFF TO GO TO HIS CELL TO USE THE TOILET LIKE A DECENT HUMAN BEING. ALL BECAUSE THE CELL PLAINTIFF IS IN DON'T HAVE NO TOILET. THIS TREATMENT HAS NO BOUNDS TO CAUSE PLAINTIFF EVERY HARM IMAGINABLE. SEE; GENTECT FOOTAGE AND I ASK THIS COURT TO PRESERVE ALL GENTEC FOOTAGE. PLAINTIFF ASSERTS THAT HE HAS AN HEARING IMPAIRMENT THAT GRVC AND WEST ~~EF~~FACILITY KNOWS ABOUT YET ADW HENRY AND SECURITY OFFICER REFUSE TO GET THE RIGHT TELECOMMUNICATION SERVICES SUCH AS A PHONE FOR THE DEAF SO PLAIN-TIFF CAN CALL HIS LAWYERS. PLAINTIFF NOTIFIED DOC ABOUT HIS HEARING LOSS/ IMPAIRMENT OVER A YR AGO. PLAINTIFF IS BEING DISCRIMINATED AGAINST BECAUSE OF HIS LAWSUITS HE HAS WITH DOC OFFICIALS. PLAINTIFF IS EXPERIENCING OUT-RIGHT INTENTIONAL EXCLUSION FROM TELEPHONE SERVICES TO CALL LAWYERS.

THE DEPARTMENT HAS FAILED TO MAKE REASONABLE ACCOMADATIONS FOR PLAINTIFF HEARING LOST. DEPARTMENT ~~OF~~ CORRECTIONS IS DISCRIMINATING AGAINST PLAINTIFF BY NOT GIVING HIM THE ASSISTIVE DEVICES TO DEAL WITH HIS HEARING LOSS LIKE THEY DO ~~WITH~~ WITH OTHER DETAINEES WHOM HAVE SAME HEARING IMPAIRMENT. DEPARTMENT OF CORRECTIONS IS REQUIRED TO PROVIDE REASONABLE ACCOMMODATIONS FOR DETAINEES WHO ARE DISABLED, PLAINTIFF IS SUFFERING UNDUE HARDSHIP BEHIND NOT BEING ABLE TO COMMUNICATE WITH LAWYERS PROPERLY BECAUSE HE CAN'T HEAR HIS LAWYERS OVER A TABLET THAT WAS GIVEN TO ALL DETAINEES TO PLACE PHONE CALLS. PLAINTIFF ASSERTS HE NEEDED A PHONE WITH AND AMPLIFIED AUDIO THAT DEAF PEOPLE ~~TO~~ USE TO COMMUNICATE OVER THE PHONE. AND LEASSONS OF STUDY TO LEARN~~K~~ SIGN LANGUAGE WHILE BEING CONFINED TO A CELL 23/HOURS OUT THE DAY. ACTUALLY THE PLAINTIFF HAS A RIGHT TO REASONABLE ACCOMMODATIONS FOR HEARING IMPAIRMENT. PLAINTIFF ALSO REQUEST AN UNDERSTANDING INJUNCTIVE RELIEF FOR VIOLATIONS OF THE ADA ACT OF SECTIONS 1218(b)(2)(A)(IV) AND SECTION 12183(a) SHALL ALTER RIKER'S ISLAND GRVC BUILDING TO MAKE READILY ACCESSIBLE TO AND USABLE BY INDIVIDUALS WITH DISABILITIES IN EVERY EXTENT. PLAINTIFF ALSO ASSERTS THAT HE WANTS THE ATTORNEY GENERAL GETINVOLVED IN SUING RIKERS ISLAND FOR PLAINTIFF NOT BEING REASONABLLY ACCOMMODATING HIM. JUDICIAL CONSIDERATIONS, IN A CIVIL ACTION UNDER PARAGRAPH(1)(B) OF ADA, THE COURT WHEN CONSIDERING WHAT AMOUNT OF CIVIL PENALTY, IF ANY, IS APPROPRIATE, SHALL GIVE CONSIDERATION TO ANY GOOD FAITH EFFORT OR ~~X~~ATTEMPT TO COMPLY WITH THIS CHAPTER BY THE ENTITY. IN EVALUATING GOOD FAITH, THE COURT SHALL CONSIDER, AMONG OTHER FACTORS IT DEEMS RELEVANT WHETHER THE ENTITY COULD HAVE REASONABLY ANTICIPATED THE NEED FOR AN APPROPRIATE TYPE OF AUXILIARY AID NEEDED TO ACCOMMODATE THE UNIQUE NEEDS OF A PARTICULAR INDIVIDUAL WITH A DISABILITY. RIKER'S ISLAND HAD MANY DETA~~ONE~~NEES WITH HEARING LOSS, THERE'S NO EXCUSE OR DEFENSE WHILE PLAINTIFF DON'T HAVE THESE AIDS TO COMMUNICATE.

ON 2/11/23 C.O. BRANCHE GAVE WORD TO PLAINTIFF VIA WOLOSİK THAT SHE DON'T CARE

ABOUT PLAINTIFF CALLING PREA ON HER, SHE WILL NOT BE MOVED AND PLAINTIFF WILL NOT GET HIS SERVICES. PLAINTIFF ASK TO CLEAN HIS CELL ON THIS DATE AND C.O. BRANCHE STATED SHE WILL NOT GIVE THOMPSON THE DUSTPAN TO PICK UP THE TRASH OUT HIS CELL. SHE DON'T CARE HOW MANY RATS AND WATERBUGS ARE IN HIS CELL. IF HE DROPS THE LAWSUIT AGAINST ME, I WILL THINK ABOUT GIVING HIM CLEANING SUPPLIES. CAPTAIN MERENYCH SHIELD# 1826 WAS ON THE SCENE AND TOOK ~~XXXXXXXXXX~~ PLAINTIFF TO THE MAIN CLINIC TO FILED A PREA COMPLAINT. AND DOCTORS TOLD CAPTAIN TO BRING PLAINTIFF BACK LATER. PLAINTIFF INFORMED CAPTAIN MERENYCH THAT THERE IS A SEPARATION ORDER BETWEEN MS. BRANCHE AND HIM. CAPTAIN MERENYCH CALL OPERATIONS AND TOUR COMMANDER ABOUT THIS SEPARATION ORDER. AND WAS TOLD BY HIS SUPERVISORS THAT THEY NOT GOING TO RESPECT THE PREA COMPLAINTS AND LET PLAINTIFF SUFFER THE ABUSE, PLAINTIFF HAS BEEN SUFFERING WITH ABUSE MOST OF HIS LIFE. , PLAINTIFF REQUESTED TO SEE A PYSCH SOON AS HE WAS TOLD THIS.

PLAINTIFF TOLD CAPTAIN MERENYCH SHIELD # 1826 THAT HE NEEDED TO GET HIS CLOTHES WASHED BY THE LAUNDRY OFFICER. AND THAT THE LAUNDRY OFFICER HAS NOT WASH HIS LAUNDRY SINCE HE BEEN IN UNIT 1/A JAN/16/23. AND THE DIRTY CLOTHES ARE CAUSING SKIN RASHES ON FACE AND BODY. CAPTAIN MERENYCH TOLD PLAINTIFF HE WILL NEVER GET HIS CLOTHES WASH BECAUSE HE HAS TOO MANY LAWSUITS ON OFFICERS THAT WORK FOR DOC AND NOBODY LIKES HIM. PLAINTIFF DID EXPLAINED TO CAPTAIN MERENYCH SHIELD# 1826 THAT INMATES THAT ARE IN A SPECIAL HOUSING UNIT POLICY STATES THAT THIER LAUNDRY SHOULD BE DONE TWICE A WEEK. PLAINTIFF INFORMED CAPTAIN HE HAS SORES FROM PUTTING ON THE SAME DIRTY CLOTHES. AND CAN HE PLEASE HELP HIM GET HIS LAUNDRY DONE. THE FILTH IS CAUSING PLAINTIFF MENTAL HARM.

AT 1PM ON 2/11/23 PLAINTIFF BEGGED CAPTAIN MERENYCH SHIELD# 1826 AND C.O. WOLOSİK CAN I USE MY BATHROOM IN 4 CELL. PLAINTIFF WAS TOLD NO AND WAS GIVEN ANOTHER PLASTIC GARBAGE BAG TO URINATE/DEFICATE IN. ANOTHER FORM OF HUMILIATION AND INTIMIDATION BY THESE DEFENDANTS. SEE; GENTEC FOOTAGE FROM THIS DATE AND TIME.. C.O. WEST WAS GIVEN A FORM TO PLAINTIFF AND PLAINTIFF LIST ALL THE REASONS WHY THE 23/HOUR IN A CELL IS ILLEGAL IN NEW YORK STATE. OFFICER WEST IS TO RETURNED THIS SIGNED STATEMENT TO THE TOUR COMMANDER, WHO THEN WILL PASS JUNDGEMENT TO ALLOW PLAINTIFF OUT THE CELL FOR 7HRS A DAY AS NEW YORK STATE REQUIRES, SEE GENTECT FOOTAGE WEST AT 1 CELL UNIT 1/A

ON 2/11/23 AT 2:15PM PLAINTIFF WAS ESCORTED TO THE CLINIC TO SPEAK WITH MEDICAL STAFF ABOUT WHY THE ABUSER IS STILL HARRASING HIM, WHEN HE MADE SAME COMPLAINTS 3 DAYS IN A ROW. DOC HAS A POLICY EVEN WHEN AN INMATE IS BEING SEXUALLY ABUSED AND A SEAPARATION ORDER IS ENACTED, DOC WILL STILL PUT THE ABUSER BACK ON POST JUST SO THE ABUSER CAN CONTINUE THE ABUSE. AND SINCE PLAINTIFF HAVE LAWSUITS ON SAME DOC STAFF, DOC WILL SEND ANY AND EVERY ABUSER IN PLAINTIFF PATH, JUST TO DISCOURAGE THE PLAINTIFF FROM FOLLWING THROOUGH ON HIS LAWSUITS. PLAINTIFF HAD TO ENDURE 5 DAYS OF ABUSE WHEN HE SHOULDN'T HAVE IF THE PREA ACT WAS FOLLOWED PROPERLY. THIS IS A FAILURE TO TRAIN BY DEFENDANT(S) NAMED HEREIN. THE ABUSE PLAINTIFF SUFFERED SHOCKS THE CONSCIOUS.!! THE CONTINUING VIOLATION DOCTRINE FOR RIKER'S ISLAND CAN BE FOUND IN PLAINTIFF EXHIBITS. PLAINTIFF EXHIBITS SHOWS THE CONTINUED VIOLATIONS OF HIS CONSTITUTIONAL RIGHTS OF THE UNITED STATES, 14TH,4TH,8TH,1ST,6TH AMENDMENTS HAS CONTINUALLY BEEN VIOLATED BY DEFENDANTS NAMED HEREIN. THERE'S NO WAY DEFENDANTS KEPT PLAINTIFF IN SOLITARY CONFINEMENT 23/HOURS WHEN THEY ENDED THIS PRACTICE AT ALL FACILITIES IN NYC DEPT OF CORR, EXCEPT GRVC HOUSING UNIT 1/A. THIS IS THE SAME UNIT WHERE A 21YRS OLD INMATE NAME RICKY TORRES RESIDES WITH PLAINTIFF, AND DOC KNOWS THAT ITS AGAINST THE LAW TO KEEP A 21YR OLD IN 23/HOUR LOCKDOWN. DOC THINKS THAT JUSTICE WON'T COME SWIFTLY TO THEM.

A CONTINUING VIOLATION IS OCCASSION BY CONTINUAL UNLAWFUL ACTS

ON 2/12/2023 C.O.WOLOSIK WAS TOLD AT 8:45AM BY PLAINTIFF THAT HE COULD NOT BREATHE AND HE HAS CONSTANT CHEST PAINS. HE NOTIFIED THE A-POST OFFICER TO CALL AN MEDICAL EMERGENCY, AND SHE TOLD HIM THAT I'M NOT CALLING NO CLINIC FOR THOMPSON I HOPE HE DIES. AND ~~XXXX~~ DON'T ASK ME AGAIN TO CALL FOR HIM. THE A-POST OFFICER IS C.O.BRANCHE WHO HAS FOR 5 DAYS STRAIGHT WAS SENT TO HOUSING UNIT 1/A WITH PREA SEPARATION ORDER TO STAY AWAY ~~EFROM~~ PLAINTIFF KWAIN THOMPSON. C.O. BRANCHE IS IN A PENDING LAWSUIT AND SHE IS RETAILIATING AGAINST PLAINTIFF MR. THOMPSON BY BEING DILEBERATE INDIFFERENCE FOR HIS MEDICAL NEEDS. HE SUFFERED OVER 3HRS AND NOT ONE CALL FOR MEDICAL WAS MADE ~~XXXX~~ FOR PLAINTIFF WHO HAS SUFFERED WITH CHRONIC ASTHMA SINCE CHILDHOOD

PLAINTIFF FELT LIKE HIS CHEST WAS GOING TO EXPLODE FROM THE PAIN. WHEN PLAINTIFF ASKED C.O. WOLOSİK WHERE IS THE MEDICAL TEAM AT. HE WAS TOLD NO MEDICAL IS COMING FOR YOU, YOU A SCUMBAG STOP FILING LAWSUITS AND THEN YOU WILL GET TREATED RIGHT. YOU ARE A TARGET AS LONG AS YOU LIVE IN GRVC. ADW HENRY IS THE ONE WHO SENT C.O. BRANCHE TO YOUR HOUSING UNIT. ADW HENRY WALKED IN UNIT AT 10AM AND SPRAYED MACE INTO PLAINTIFF CELL# 1 SEE; GENTEC FOOTAGE, PLAINTIFF LAYED PASSED OUT BECAUSE MACE, NO ONE CHECKED ON PLAINTIFF AFTER HE WAITED OVER 3HRS FOR AN MEDICAL EMERGENCY. THEN ADW TELLS C.O. WOLOSİK MAKE SURE YOU DON'T LET THOMPSON OUT OF CELL # 1. SHE THEN TELLS A-POST OFFICER BRANCHE I DON'T CARE IF HE'S ASTHMATIC DON'T OPEN CELL # 1 LET HIM BREATHE IN AS MUCH MACE AS POSSIBLE I WANT TO SEND THOMPSON TO THE HOSPITAL. ONE HOUR LATER C.O. BROWN WALKS TO CELL # 1 AND CLOSE THE FOOD SLOT SO THOMPSON DON'T DIE FROM INHALING MACE. C.O. BROWN WARNED THOMPSON HE'S NOT SAFE AROUND ADW HENRY OR C.O. BRANCHE THEY HAVE ORDERS TO TAKE HIM OUT. ADW HENRY TOLD C.O. WOLOSİK THAT THOMPSON WILL NOT BE GETTING HIS HIGH BLOOD PRESSURE MEDICATIONS ON TIME WHEN SHE IS ON DUTY. I WANT HIM TO SUFFER. C.O. WOLOSİK TOLD ADW HENRY THAT'S WRONG YOUR MESSING WITH HIS MEDICATION AND HE DON'T WANT NO PART OF THE RIF YOU AND THOMPSON HAVE. PLAINTIFF LAYED IN HIS OWN VOMIT IN CELL # 1 WITH NO MEDICAL AFTER BEING HIT WITH MACE AFTER BEING COMPLAINING OF CHEST PAINS FOR OVER 3 HOURS. RIKER'S ISLAND WAS AND IS A DEATH TRAP FOR PLAINTIFF MR. THOMPSON. 23/HOURS LOCKED IN A CELL DAILY MACE WAS UTILIZED AND 1 ~~INMATE~~ INMATE TAKEN TO GET DECONTAMINATED. 5 OTHERS STAYED IN CELL SUFFERING ,YELLING AND SCREAMING TO ~~XXXX~~ BE TAKEN TO SHOWERS SO THEY CAN BE DECONTAMINATED AS WELL. WOLOSİK TOLD PLAINTIFF THOMPSON THAT HE AS WELL NEEDS TO BE DECONTAMINATED, AND HE'S BEING HELD BACK AS WELL, HE STATED THAT ALEXANDER WILLIAMS CELL#11 CHRISTOPHER CANO CELL# 15, RICKY TORRES CELL # 7 21YRS OLD NEEDS TO GO BE DECONTAMINATED.

ON 2/12/2023 CAPTAIN MOODY CAME TWICE TO UNIT 1/A AND WAS TOLD BY ADW HENRY NOT TO TAKE PLAINTIFF THOMPSON TO HIS MEDICAL EMERGENCY. C.O. WOLOSİK TOLD CAPTAIN MOODY THAT THOMPSON IS IN 1 CELL WHERE THERE IS NO TOILET AND HE'S LAYING IN HIS OWN VOMIT, HE HAS CHEST PAIN AND HE CAN'T BREATHE BECAUSE HE'S A CHRONIC ASTHMATIC AND I THINKS HE'S GOING TO DIE. CAPTAIN MOODY TOLD C.O. WOLOSİK THAT HE HAVE TO FOLLOWED ORDERS FROM HIS SUPERVISOR ADW HENRY. DW PHILLIPS TOLD C.O. BRANCHE WHOS WAS WORKING THE A-POST ON 2/12/23 NOT TO OPEN 1 CELL AND LET THOMPSON USE THE TOILET. LET AND KEEP THOMPSON IN CELL 1 I KNOW THERE'S NO TOILET IN ONE CELL GIVE THOMPSON A GARBAGE BAG AND LET HIM DEFICATE IN A BAG. WHICH THOMPSON WAS FORCED TO DEFICATE IN. CAPTAIN JONES IS HERE TO ESCORT PLAINTIFF TO CLINIC AT 12:20PM PLAINTIFF STAYED IN THE CELL FOR 1 HOUR AND NOT ONCE DID CAPTAIN JONES WALKED OVER TO CELL 1 TO SEE HOW IS PLAINTIFF DOING AFTER HAVING AN STHMA ATTACK AND BEING SPRAYED BY MACE FOR HOURS IN ONE CELL. CAPTAIN JONES IS ANOTHER DEFENDANT IN PLAINTIFF PENDING LAWSUITS. AND CAPTAIN JONES SAID SHE WILL NOT TAKE PLAINTIFF TO MAIN CLINIC SHE DON'T CARE IF PLAINTIFF DIE. AND SHE LEFT THE UNIT WITHOUT GIVING THOMPSON MEDICAL CARE, SHE WAS DELIBERATE INDIFFRENT BECAUSE PLAINTIFF HAS A PENDING CIVIL KITIGATION AGAINST HER. BUT BEFORE CAPTAIN JONES LEFT HOUSING UNIT 1/A SHE MADE SURE SHE OPENS 11 CELL FOR INMATE WILLIAMS TO TAKE HIS DAILY SHOWER WHILE PLAINTIFF THOMPSON LAID IN CELL 1 WITH HIS CHEST ABOUT TO BURST OPEN FROM THE EXCRUCIATING PAIN. THIS IS THE TYPE OF TORTURE AND RETALIATION PLAINTIFF HAD TO ENDURE. ONCE IN THE MAIN CLINIC AT 2:30PM FOR PLAINTIFF MEDICAL EMERGENCHY, CAPTAIN MOODIE INSTRUCTED PLAINTIFF TO SIT UP ON THE GURNEY. AND VITALS WAS TAKEN BY NURSE WHO ASKED CAPTAIN MOODIE WHY IS PLAINTIFF BEING BROUGHT DOWN SO LATE TO GET HIS HIGH BLOOD PRESSURE MEDICATION ? CAPTAIN MOODIE RESPONDED BY SAYING TODAY IS THE SUPERBOWL SUNDAY AND NOBODY CARES ABOUT INMATES MEDICATION I GOT 5,000 CASH RIDING ON THIS GAME. JUST GIVE HIM HIS MEDICXTION NOW. AN INJURY

REPORT

WAS GENERATED FOR BEING EXPOSED TO MACE ON TOP OF BEING CALLED FOR AND EMERGENCY THAT WAS WRITTEN IN THE LOG BOOK AT 9AM BY C.O.WOLOSİK. ANOTHER INJURY REPORT WAS GENERATED FOR A CONFIDENTIAL ALLEGATION AGAINST C.O. BRANCHE. AT 2:45PM BECAUSE SHE REFUSED TO CALL FOR A MEDICAL EMERGENCY FOR PLAINTIFF. THIS IS THE 5TH ONE GENERATED 5 DAYS STRAIGHT TO NO AVAIL AND TO THE SUFFERING OF PLAINTIFF KWAINÉ THOMPSON. AFTER THE REPORTS WAS COMPLETED, THOMPSON WAS SEEN BY MENTAL HEALTH STAFF NAME MS.ALMALDOVA. PLAINTIFF EXPLAINED TO MS.ALMALDOVA THAT HE DOES NOT WISH TO LIVE ON. AND HE EXPERIENCING EXTREME PARANOIA. AND HE DON'T FEEL SAFE IN A BUILDING WHERE HE HAS ATLEAST 15 OFFICERS HE SUING IN FEAR OF THESE OFFICERS SERIOUSLY HURTING AND INJURING HIM. PLAINTIFF FEAR IS CORRECT JUST LOOK AT ALL LOG BOOKS AND GENTEC FOOTAGE FROM THE DATES AND TIMES MENTIONED HEREIN THIS COMPLAINT. ADW HENRY AND C.O. MCNEIL CAME INTO UNIT 1/A ON 2/13/23 11AM AND MADE ANNOUNCEMENT TO WHOLE UNIT THAT NO INMATE BET NOT CALL 311 NO MORE AND THEY BET NOT BE NO MORE MEDICAL EMERGENCY. PLAINTIFF FELT TRULY INTIMIDATED BECAUSE THESE ARE THE INDIVIDUALS THAT PLAINTIFF HAS PENDING LAWSUITS AGAINST. PLAINTIFF IS IN CONSTANT FEAR FOR HIS LIFE BEING HOUSED IN GRVC BECAUSE OF THE PENDING LAWSUITS AGAINST DOC STAFF. AND AS TIME GOES BY OFFICERS AND STAFF ARE RETAILIATING IS BECOMING MORE AND MORE BRUTAL. ON 2/13/23 PLAINTIFF TOLD CAPTAIN GUAN ON BODY CAM VIDEO THAT HE WILL LIKE TO MAKE A PREA COMPLAINT. AND THAT HE WANT TO MAKE A PREA COMPLAINT ON C.O.BAWA. CAPTAIN GUAN DID NOT FOLLOW THE POLICY AND DID NOT NOTIFY PREA INVESTIGATORS ABOUT ~~XX~~ PLAINTIFF COMPLAINT. CAPTAIN GUAN KNOWS THAT PLAINTIFF IS NOT ALLOWED TO CALL 311 BECAUSE SECURITY OFFICER TOOK 311 OFF OF PLAINTIFF PHONE LIST. SECURITY OFFICER MCNEIL TOLD CAPTAIN GUAN THOMPSON WILL NEVER BE ALLOWED TO CALL PREA AGAIN. I MADE IT THAT WAY AND IT WILL REMAIN THAT WAY PER ADW HENRY. CAPTAIN GUAN TOLD PLAINTIFF HE WILL NOT FILE A COMPLAINT BECAUSE HE HAS INSTRUCTIONS NOT PER ~~XX~~ ADW HENRY. THIS VIOLATES THE PREA ACT BY CONGRESS.

ON 2/13/23 PLAINTIFF WAS TAKEN TO THE MINI CLINIC BY CAPTAIN GUAN. PLAINTIFF TOLD CAPTAIN GUAN CAN HE PLEASE GET HIS MEDICATION ON TIME TODAY. CAPTAIN GUAN TOLD PLAINTIFF THAT YOU ARE SUING ADW HENRY AND SECURITY OFFICER MCNEIL AND LONG AS YOU GOT YOUR LAWSUITS PENDING AGAINST THEM TWO INDIVIDUALS YOU WILL ALWAYS GET YOUR ~~HIXXN~~ HIGH BLOOD PRESSURE MEDICATION LATE. TOLD THE PLAINTIFF EVERYBODY KNOWS THE TIME YOU OUGHT TO GET YOUR MEDICATION. YOU WILL NEVER GET YOUR SUING ME, SO HOLD YOUR BREATH AND WAIT. THIS CAUSED PLAINTIFF TO GO PYSCHO AND ATTEMPT A HANG-UP. ON 2/12/23 AT 7PM INVESTIGATORS CAME TO SEE PLAINTIFF IN HOUSING UNIT 1/A. THE INVESTIGATORS NAME WAS BROWNING AND WASHINGTON. AND THEY QUESTION PLAINTIFF ABOUT THE SEXUAL ALLEGATIONS. PLAINTIFF TOLD THESE TWO INVESTIGATORS TO CHECK THE LOG BOOK AND SEE THE ENTRY ON WHEN HIS MEDICAL EMERGENCY WAS CALLED AND EXACTLY WHAT TIME THE DEPT OF CORR, RESPONDED TO HIS EMERGENCY. PLAINTIFF ALSO GAVE THESE TWO INVESTIGATORS HAND WRITTEN STATEMENTS ON WHO CAUSED THE DELAY TO THE CLINIC FOR HIS MEDICAL EMERGENCY. INVESTIGATORS TOLD PLAINTIFF THAT THEY TOOK PHOTOS OF THE LOG BOOK AND SEEN THE ENTRY. PLAINTIFF ALSO TOLD INVESTIGATORS TO MAKE SURE THEY PULL THE GENTEC FOOTAGE WHERE THEY WILL SEE PLAINTIFF LAYED OUT ON FLOOR AFTER BEING TRAPPED IN A CELL FOR HOURS AFTER MACED WAS SPRAYED. THE DELIBERATE INDIFFERENCE PLAINTIFF ENCOUNTERED ON THIS DAY WILL LEAVE MANNY HORRIFIED. THE RESULTS FOR ALL WHO RESIDES ON RIKER'S ISLAND. PLAINTIFF IS HORRIFIED THAT HE CAN'T CALL PREA HOTLINE INCASE IF SEXUAL ABUSE HAPPENS TO HIM IN THE JAILS, PLAINTIFF MIND HAS BEEN BENT OUT OF SHAPE BEHIND THAT SIMPLE FACT, "THERE NO ONE HE COULD REACH OUT TO IN CONFIDENCE TO REPORT SEXUAL ABUSE" , NY CLS CIV R & 79-c NOTHING IN 79-c NOTHING IN SECTIONS 79 OR 79a OF THIS CHAPTER SHALL BE DEEMED TO DENY A CONVICT THE RIGHT TO INJUNCTIVE RELIEF FOR IMPROPER TREATMENT WHERE SUCH TREATMENT CONSTITUTES A VIOLATION OF HIS CONSTITUTIONAL RIGHTS.

PLAINTIFF ALSO LOOKS FOR RELIEF UNDER 18 ALR FED 7, AT 2:45 PM ON 2/13/23 OFFICER PAULINO CALLED FOR A MEDICAL EMERGENCY AND LOGGED IT INTO LOG-BOOK. MEDICAL EMERGENCY WAS LOGGED FOR CHEST PAINS MENTAL HEALTH WAS ALERTED BY LISA RIVERA WHO IS A MENTAL HEALTH STAFF MEMBER. TOLD BY CAPTAIN GUAN THAT LISA RIVERA WILL NOT SEE HIM BECAUSE HE IS NOT GOING TO ESCORT HIM TO CLINIC. THIS CAUSED PLAINTIFF ANXIETY TO GO SKY HIGH. PLAINTIFF WAITS IN CELL # 1 WITH HIS LUNGS FEELING LIKE ITS GOING TO BURST OUT HIS CHEST. AND CAPTAIN LEAVES THOMPSON IN CELL AND RUNS INTO A-POST AND WAS TOLD BY ADW HENRY NOT TO BRING PLAINTIFF INMATE THOMPSON TO THE MAIN CLINIC FOR HIS CHEST PAINS. ONE HOUR GOES BY AND PLAINTIFF IS STILL IN ONE CELL. THOMPSON IS IN THE CELL, LAYING IN HIS BLOOD FROM HITTING HIS FACE AFTER BEING MACED BY ADW HENRY.

ON 2/13/23 CAPTAIN GUAN CALLED THE SECURITY OFFICER MCNIEL AND C.O. GRAVES TO TELL THEM TO COME TO THE UNIT AND MAKE SURE HE DON'T GO TO THE MEDICAL EMERGENCY. SO WHEN OFFICER MCNIEL COMES TO HOUSING UNIT 1/A HE WALKS STRAIGHT TO THE CELL WHERE PLAINTIFF HAVE HIS LAW WORK IN. CELL # 1 AND ESCORT PLAINTIFF BACK TO HIS CELL # 4. HE WAS TOLD TO KICK THE BAG OF PISS HE LEFT IN ONE CELL OUT THE CELL. THEN ONCE PLAINTIFF REACHED HIS CELL #4 HE WAS TOLD BY C.O. MCNEIL IF YOU WANT TO GO TO THE CLINIC HE WILL MAKE SURE THAT I GET STRIP SEARCH AND THAT MY CELL WILL BE SEARCHED AND HE WILL PUT DRUGS AND RAZORS IN MY CELL AND I WILL BE CHARGED WITH CONTRABAND "NEW CHARGES" THIS THREAT MADE PLAINTIFF SAY FORGET THE CLINIC AND BEG FOR MERCY FOR HIS LIFE THAT THEY DON'T FRAME HIM WITH DRUGS AND WEAPONS IN HIS CELL. THEN HE TOLD PLAINTIFF HE BET NOT CALL FOR ANYMORE MEDICAL EMERGENCIES. THIS CAUSED PLAINTIFF GREAT MENTAL ANGUISH BECAUSE NOW HE HAS TO SERIOUSLY WATCH HIS BACK AND NOT GETX RE-ARRESTED BECAUSE SECURITY C.O. MCNEIL WON'T PLANT DRUGS AND WEAPONS IN HIS CELL. ON 2/14/23 PLAINTIFF WAS ESCORTED TO MAIN CLINIC AROUND 11AM AND PLAINTIFF INFORMED CAPTAIN CAN HE PLEASE STOP RETALIATING AND BRING HIM TO GET HIS MEDICATIONS ON TIME.

ON 2/14/23 PLAINTIFF SPOKE TO MENTAL HEALTH STAFF AND WAS TOLD BY DR. OTANANKA THAT HE WILL HAVE HIS PYSCH MEDS INCREASE TO DEAL WITH THE FEAR OF ABUSE BY DOC STAFF. THIS LIVING CONDITIONS THAT PLAINTIFF IS UNDER IS ENOUGH TO DRIVE ANYBODY TO SUICIDE. AT 2:20PM PLAINTIFF WAS TOLD HE CAN'T GO BACK TO CELL TO URINATE/DEFICATE. ANOTHER DAY PLAINTIFF HAD TO HUMILIATE HIMSELF AND DEFICATE IN A BAG JUST IN ORDER TO USE THE LAWLBRARY CELL. ITS NOT RIGHTS THIS TYPE OF TREATMENT IS HAPPENING IN AMERICA. AND ON THIS UNIT ITS ONLY BLKS AND LATINO. THIS TYPE OF TREATMENT DON'T HAPPENS TO THE WHITE RACE DETAINEES. PLAINTIFF ALSO STATES THERE IS NO MAILBOX ON THE UNIT FOR HIM TO THROW HIS MAIL IN. PLAINTIFF IS FORCED TO GIVE HIS MAIL TO DOC OFFICERS, WHOM HE HAS PENDING CIVIL LITIGATIONS AGAINST. SO PLAINTIFF MAIL GOES OUT SOMETIMES. TODAY THE PLAINTIFF DID NOT EAT THE FOOD WAS SERVED BECAUSE ITS NOT HALAL FOOD THEY BRINGING FOR PLAINTIFF ACCORDING TO HIS MUSLIM FAITH REQUIRES. TO PLAINTIFF DISMAY PLAINTIFF IS FORCE TO FAST EVEN NOT IN THE MONTH OF RAMADAHN, PLAINTIFF FAST LONG AS HE'S CONFINED IN GRVC UNIT 1/A. PLAINTIFF HAS BEEN IN CELL # 1 FOR OVER THE PAST 3 HOURS AND CANNOT GO BACK TO HIS CELL BECAUSE THERE'S NO CAPTAIN ON UNIT TO WALK PLAINTIFF BACK TO HIS CELL WHICH IS CELL # 4 AND PLAINTIFF HAD TO DEFICATE IN A BAG AGAIN BECAUSE ORDERS WAS GIVEN BY THE COMMISSIONER NOT TO LET PLAINTIFF OUT CELL # 1 WHEN NO CAPTAIN IS AROUND I DON'T CARE IF CELL # 1 DON'T HAVE A TOILET. GIVE PLAINTIFF KWAIN THOMPSON A PLASTIC GARBAGE BAG TO DEFICATE AND URINATE IN LIKE YOU BEEN DOING FOR THE PAST MONTH, PLAINTIFF IS ALREADY USE TO URINATING IN A BAG. THIS WAS TOLD TO C.O. RIVERA AND C.O. BROWN ON 2/14/23..

UPON THE INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT CAPTAIN MERENYCH SHEILD # 1826 WAS A CORRECTION OFFICER EMPLOYED BY THE CITY OF NEW YORK.

UPON INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT CAPTAIN MOODIE WAS EMPLOYED BY DEFENDANT "CITY"

UPON THE INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN, DEFENDANT C.O.KESSIA LEITCH (GRVC) WAS AN CORRECTION OFFICER EMPLOYED BY THE CITY OF NEWYORK,DEFENDANT.

UPON THE INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN,DEFENDANT C.O.BRANCHE (GRVC) WAS AN CORRECTION OFFICER EMPLOYED BY DEFENDANT "CITY" OF NEW YORK.

UPON THE INFORMATION AND BELIEF,AND AT ALL TIMES MENTIONED HEREIN,DEFENDANT NURSE BLOUNT (GRVC) WAS A NURSE EMPLOYED BY DEFENDANT "CITY" OF NEW YORK.

STATEMENT OF FACTS

ON FEB/4/2023 AT 8:30AM I KWAIN THOMPSON (PLAINTIFF) WAS ESCORTED BY DEFENDANT CAPTAIN PALEMERO AND OFFICER MARDEN TO GET MY MORNING MEDS WHICH IS SCHEDULE BETWEEN 5AM TO 9AM IN THE MAIN CLINIC. UPON ARRIVING AT THE MAIN CLINIC (DEFENDANT OFFICER KESSIA LEITCH LET US IN) THIS DEFENDANT IS IN MY PREVIOUS AND STILL PENDING LAWSUIT IN THE SOUTHERN DISTRICT COURTS DOCKET#1:22-CV-07222UA WHEN SHE SAW ME, SHE SAID I HOPE YOU HAVE LUCK RECIEVING YOUR MORNING MEDS FOR YOUR HIGH BLOOD PRESSURE. SHE THEN JUMPS ON THE PHONE AND ALERT MEDICAL STAFF IN THE BACK TO NOT GIVE PLAINTIFF HIS SCHEDULE MORNING MEDS."MAKE HIM WAIT" PLAINTIFF COULD HEAR HER YELL. THIS CALL WAS ANSWERED BY NURSE BLOUNT. "NURSE BLOUNT IS A DEFENDANT IN MY PREVIOUS AND PENDING LAWSUIT IN THE SOUTHERN DISTRICT COURTS, DOCKET#1:22-CV-07222 UA. WHEN ~~ME~~ PLAINTIFF AND HIS ESCORTS WALKED TO THE BACK OF THE CLINIC TO RETRIEVE PLAINTIFF SCHEDULE MORNING MEDS THEY WAS GREETED BY NURSE BLOUNT WHO SAID TO THIS ASSHOLE THOMPSON IS SUING ME AND WILL NEVER RECIEVE HIS MORNING MEDICATION LONG AS SHE'S AROUND. THEN SHE INSTRUCTED PLAINTIFF AND HIS ESCORTS TO LEAVE THE CLINIC. PLAINTIFF ESCORT CAPTAINPALEMERO STARTED TO PROTEST TO NO AVAIL. THEN OFFICER AND KESSIA LIECTH AND NURSE BLOUNT SAID TO CAPTAIN ESCORT ~~ME~~PLAINTIFF WILL NOW RECEIVE HIS HIGH BLOOD PRESSURE MEDS IN THE AFTERNOON. HE WILL NOT GET HIS MORNING MEDS SINCE YOU WANT TO DEFEND PLAINTIFF. THEN ~~ME~~~~XXXXXX~~ PLAINTIFF AND ESCORTS LEFT CLINIC AND RETURNED TO HOUSING UNIT 1/A. THESE TWO DEFENDANTS WAS GIVEN INSTRUCT IONS

BY ADW HENRY WHO IS ALSO A DEFENDANT IN MY PREVIOUS AND PENDING LAWSUIT IN THE SOUTHERN DISTRICT COURTS, DOCKET#1:22-CV-07222 UA, MY PENDING LAWSUIT HAS BEEN PENDING SINCE 8/23/2022. THIS RETALIATION IS SO EXTREME THAT I FELL AND COLLAPSED IN A CELL BECAUSE MY BLOOD PRESSURE WENT THROUGH THE ROOF. AND I REQUESTED EMERGENCY MENTAL HEALTH BECAUSE I THINK I'M GOING TO COMMIT SUICIDE. PLAINTIFF NOTIFIED DEFENDANT CAPTAIN PALEMERO ON FEB/4/23 THAT OFFICER BRANCHE WHOM I HAVE A SEPARATION ORDER ON IS WORKING THE HOUSING UNIT BUBBLE AND WOULD NOT OPEN THE CELL DOOR SO I COULD USE THE BATHROOM IN MY CELL#4, SINCE THE LAW LIBRARY CELL#1 DON'T HAVE NO TOILET. AND I ASK CAN YOU HELP GET MS BRANCHE ANOTHER POST TO WORK ON SINCE ME AND HER GOT A SEPARATION ORDER FROM PREA ESTABLISHED. THE CAPTAIN NEVER GOT HER REMOVED. SHE TAUNTED THE PLAINTIFF THE ENTIRE DAY, BY CALLING HIM RAPIST EVERY CHANCE SHE GOT. THESE DEFENDANTS HAS VIOLATED PLAINTIFF 1ST AMENDMENT RIGHT UNDER 42 U.S.C 1983 RIGHT TO BE FREE FROM RETALIATION.

AND ALL TIME MENTION HEREIN DEFENDANTS WAS ACTING UNDER COLOR OF NEW YORK STATE LAW.

UPON THE INFORMATION AND BELIEF, AND AT ALL TIMES MENTIONED HEREIN DEFENDANT CAPTAIN LEMON GRVC, WAS EMPLOYED BY DEFENDANT CITY. CITY OF NEW YORK.

AND ON 2/15/23 AT 8AM UNIT 1/A GRVC OFFICER BRANCHE IS BACK ON THE A-POST. D.O.I CAME TO SEE ME ON MONDAY NIGHT. THIER NAMES WAS WASHINGTON AND BROWNING. THEY STATED TO PLAINTIFF THAT A SEPARATION ORDER WILL BE ENACTED. BUT AS OF TODAY WENESDAY, FEB, 15, 2023 C.O. BRANCHE IS STILL HERE ON THE UNIT TO TAUNT AND THREATEN MR. THOMPSON AGAIN. THE CONSTANT VICTIMIZATION OF PLAINTIFF WHERE THE DOC FAIL TO RESPOND ACCORDINGLY TO PREA GUIDELINES. PLAINTIFF EXPLAIN TO INVESTIGATORS ON VIDEO BODY/CAM AND IN HANDWRITTEN STATEMENTS. THAT MS. BRANCHE IS OUT TO HURT HIM AND NOTHING IS ENACTED TO STOP IT.

1-S

THIS FAILURE TO TRAIN HAS CAUSED PLAINTIFF INRRREPARABLE DAMAGE. AIN'T NO WAY A SEPARATION IS IN PLACE AND THE ABUSER STILL WORKS THE HOUSING UNIT. TODAY ON 2/15/23 THIS SAME OFFICER BRANCHE HANDED C.O. BROWN A PLASTIC GARBAGE BAG TO ~~XXXXXXXXXXXXXXXXXXXX~~ GIVE TO PLAINTIFF KWAIN THOMPSON WHO IS IN 1 ~~ENK~~ CELL TO URINATE AND DEFICATE AND SHE WILL NOT OPEN ONE CELL TO LET HIM USE THE BATHROOM. C.O. BROWN TOLD PLAINTIFF SHE'S NOT GOING TO LET YOU OUT TO USE THE BATHROOM. SO JUST USE THE PLASTIC BAG. AND SHE WILL NOT GIVE YOU ANY TOILET PAPER. THIS TYPE OF TREATMENT DROVE THE PLAINTIFF TO SEE THE MENTAL HEALTH RIGHT AWAY. PLAINTIFF FEELS EXTREMELY SUICIDAL THERE'S NO RECOURSE. C.O. BROWN WOTE IN THE LOG BOOK THAT C.O. BRANCHE IS NOT SUPPOSE TO BE IN HOUSING AREA DUE TO A SEPARATION ORDER FOR INMATED THOMPSON. C.O. BROWN TOLD PLAINTIFF THE REASON WHY HE NOTED IT IN THE LOGBOOK BECAUSE HE DON'T WANT TO LOSE HIS JOB. SO BROWN SAID HE JUST COVERING HIS BACK BY MAKING SURE ITS IN THE LOGBOOK.

ON 2/17/23 AT 2PM PLAINTIFF WAS TAKEN TO MAIN CLINIC TO GET HIS MORNING MEDICATION FOR HIGH BLOOD PRESSURE. PLAINTIFF WAS IN EXTREME PAIN GETTING HIS MEDICATION SO LATE EVERYDAY. PLAINTIFF WAS ESCORTED BY CAPTAIN TAYLOR SEE;GENTEC FOOTAGE. PLAINTIFF TOLD CAPTAIN TAYLOR HTS CHEST FEELS LIKE ITS GOING TO EXPLODE AND HIS RIB CAGE FEELS LIKE IT BREAKING ON THE INSIDE. AND HE WISH THAT HE CAN GET HIS MEDICATIONS ON TIME TO PREVENT THIS PAIN THAT IS GETTING WORSTX AS THE DAYS GO BY., ON 2/17/23 SOCIAL SERVICE WORKER NAME KEVIN SMITH TOLD PLAINTIFF THAT HE WILL NOT BE ABLE TO USE THE TTY TELEPHONE TO CALL HIS LAWYERS BECAUSE WHOEVER HE'S SUIING TOLD HIM DON'T ALLOW PLAINTIFF KWAIN THOMPSON TO USE THE PHONE, AND HE HAVE TO FOLLOW ORDERS OR RISK GETTING FIRED. PLAINTIFF BEGGED KEVIN SMITH FOR MERCY TO USE PHONE BECAUSE HE HAS TRIAL AND MIGHT LOSE IF HE DON'T TALK WITH HIS LAWYER. KEVIN SMITH TOLD PLAINTIFF THE LAWSUITS HAVE OFFICERS HATING YOU. BUT I CAN'T LET YOU USE THE PHONE FOR DEAF PEOPLE,ITS OUT OF MY HANDS.

ON 2/15/23 C.O. BRANCHE WHO IS NOT SUPPOSE BE ON UNIT 1/A FOR ANY REASONS AT ALL TOLD C.O. BROWN THAT INMATE THOMPSON KWAIN WILL NOT BE GETTING HIS MORNING MEDICATION FOR HIS HIGH BLOOD PRESSURE BECAUSE I REFUSED TO CALL FOR AN ESCORT FOR HIM. PLAINTIFF ASK BROWN TO CALL FOR AN MEDICAL EMERGENCY ~~XXXX~~ MS. BRANCHE WHO IS NOT SUPPOSE TO BE ON HOUSING UNIT 1/A FOR ANY REASON AT ALL DUE TO SEPARATION ORDER ENACTED BY PREA INVESTIGATORS. SAID TO PLAINTIFF THAT SHE CAME TO THIS UNIT TODAY SPECIFICALLY TO MAKE SURE HE HAVE A BAD DAY. AND SHE DON'T CARE IF THERE IS A SEPARATION ORDER, NOBODY CAN TELL HER WHERE SHE CAN GO IN THIS BUILDING BECAUSE SHE GOT 18 YRS ON THIS JOB AND SHE GOT DIRT ON ALL THE HIGHER-UPS. SO SHE CAN DISOBEY ALL PREA SEPARATION ORDERS. PLAINTIFF FELT LIKE KILLING HIMSELF ONCE HE HEARD THESE WORDS. AND SHE SAID IF PLAINTIFF KEEPS TALKING BACK SHE IS GOING TO MAKE SURE HE GETS HIS MEDICATION AT 2PM.

OFFICER GRAVES TOOK ACTION AND SEARCH PLAINTIFF CELL AFTER LEARNING OF PENDING LAWSUIT AGAINST SECURITY OFFICER MCNEIL IN GRVC UNIT 1/A THIS SEARCH WAS CONDUCTED AND INSTRUCTED BY C.O. MCNEIL WATCHING OVER THE SEARCH AND WAS ORDER TO MAKE SURE HE ROUGH THE PLAINTIFF UP. LOUIS MOLINA IS THE CAUSE OF PLAINTIFF ~~XXXX~~ PAIN AND SUFFERING, LOUIS MOLINA CUT OFF BOARD OF CORRECTIONS FROM REMOTE ACCESS TO VIDEO ON RIKER'S ISLAND, THEREFORE HINDERING SWIFT AND QUICK SOLUTIONS TO ABUSE BEING CARRIED OUT BY DOC OFFICERS AND STAFF. LOUIS MOLINA ALSO CUT OFF ACCESS TO BODY CAMS VIDEO AND HAND HELD VIDEO, WHICH INTURNED GAVE THE OFFICERS UNDER THE COURAGE TO CONTINUE THE ABUSE BECAUSE NO ONE WILL FIND OUT SWIFTLY ANYMORE. AND PLAINTIFF PAIND THE FULL PRICE FROM LOUIS MOOLINA DECISION TO NOT GIVE ACCESS TO BOARD OF CORRECTION OF VIDEO FOOTAGE. LOUIS MOLINA COVER-UP OF PLAINTIFF ABUSE BY DOC OFFICERS ADW HENRY, SECURITY OFFICER MCNEIL RUNNING IN HIS CELL TO DO A SEARCH BECAUSE HE CALLED FOR A MEDICAL EMERGENCY. AS WELL AS C.O. BRANCHE WHO IS ON POST EVEN THOUGH THERE'S A COURT ORDER TELLING AND COMMANDING HER TO STAY AWAY FROM PLAINTIFF THOMPSON. PLAINTIFF

PAIN COULD HAVE BEEN RELIEVED IF BOARD OF CORRECTION HAD THEIR VISUAL ON THE HOUSING UNIT 1/A PLAINTIFF THOMPSON WAS TALKING AND GRIEVING ABOUT. SO LOUIS MOLINA DID EVERYTHING IN HIS POWER AS COMMISSIONER TO COVER-UP THE ABUSESS AT RIKER'S ~~XXXXX~~ ISLAND FACILITIES. SO NO MEDIA OUTLETS CAN SEE THE REAL ABUSES THAT'S GOING ON. LOUIS MOLINA DECREED THAT BOARD OF CORRECTION COME TO DOC HEADQUARTERS BETWEEN THE HRS OF 9AM TO 6PM AND THAT NOTHING CAN BE TAKEN OUT LIKE SNIPPETS OF VIDEO OR EVEN PHOTOGRAPHS, THIS DECREE WAS INTENTIONAL BY LOUIS MOLINA TO CAUSE PLAINTIFF THOMPSON TO SUFFER THAT MUCH LONGER. PLAINTIFF COULD NOT GET AID ~~XXX~~ SWIFTLY BEHIND THIS DECREE, DOC OFFICERS RAN RAMPTED ONCE THAT EAR OF THIS DECREE SHEILDING THEIR ABUSES. THIS UNACCEPTABLE DECREE BY LOUIS MOLINA HINDER THE BOARD OF CORRECTION OVERSIGHT, IT WAS A VIOLATION OF THE CITY CHARTER WHICH STATES THE BOARD OF CORRECTION CAN ACCESS DOC RECORDS AT WILL.

THIS OVERSTEP OF CITY CHARTER LAW BY LOUIS MOLINA & OF ~~XXXXXXXXXX~~ PRODUCING VIDEO FOR THE BOARD OF CORRECTION. LOUIS MOLINA IS THE ENABLER OF THE ABUSES BEING ADMINISTERED ON THE POPULATION OF RIKER'S ISLAND DETAINEES, LIKE MISSED MEDICAL APPOINTMENTS, SLASHES/ CUTTING OF VIOLENCE, DIRTY CELLS AND SHOWER AREAS, NO HALAL FOOD FOR MUSLIM INMATES, THIS WOULD HAVE BEEN STOP IF LOUIS MOLINA NEVER MADE THAT DECREE. AND LOUIS MOLINA IS ACTIVELY UNDERMINING THE AGENCY. HE'S ATTACKING FREE PRESS AND HE'S ERODING PUBLIC TRUST. LOUIS MOLINA ACTIONS SHOW AN UTTER DISRESPECT AND CONTEMPT NOT ONLY FOR BOARD OF CORRECTION CHARTER-MANDATED OVERSIGHT, WHICH EXPLICITLY INCLUDES THE RIGHT TO UNFETTERED ACCESS TO VIDEO FOOTAGE, BUT ~~XXXXXXXXXX~~ COMPLIANCE WITH THE NEW YORK FREEDOM OF INFORMATION LAWS, AND BASIC TRANSPARENCY OWED TO TAXPAYERS THAT FUNDS THE AGENCY WITH ONE OF THE LARGEST BUDGETS IN THE CITY. IT IS IN THE INTEREST OF ALL NEW YORKERS TO OPERATE ACCORDING TO CITY CHARTER FOR SAFE, HUMANE, JUST CONDITIONS AT CITY JAILS.!!

THESE DEFENDANT(S) NAME HEREIN CAPTAIN LEMON (GRVC), CAPTAIN MOODIE (GRVC), DW PHILLIPS (GRVC), CITY OF NEW YORK, LOUIS MOLINA COMMISSIONER OF THE DEPT OF CORRECTION, ASSISTANT COMMISSIONER WHO WAS PRESENT WITH CIB ON JAN/3/23 SEARCH AT WEST FACILITY, CIB CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD#462, CAPTAIN JOSEPH (GRVC), SRT CAPTAIN # 1, SRT CAPT # 3, SRT CAPT # 4, SRT OFFICERS #'S 102,120,182,74,75,78,77, 79,65,80,88,82,203,111,112,113, OFFICER BETHEA (WEST FACILITY), OFFICER RICHARDSON (WEST FACILITY), SECURITY CAPT ROLLINSON OR ROLLINGS (WEST FACILITY), VISIT OFFICER DANIELS (WEST FACILITY), CAPT ANDERSON (WEST FACILITY) JAN/7/23, ESU CAPT RIVERA, ESU CAPT # 28, ESU OFFICER NAME UNKNOWN SHEILD# 4190, CAPT RIVERA SHEILD# 1230 (GRVC), SECURITY OFFICER MCNEIL (GRVC), ADW HENRY (GRVC), CAPT PALEMERO (GRVC) JAN/27/23, C.O. RODRIGUEZ (GRVC) JAN/27/23, CAPT GUAN SHEILD# 367, C.O. WOLOSIK (GRVC) JAN/27/23, ASSISTANT COMMISSIONER THOMAS GRIFFEN, CAPT CARTER (GRVC), CAPT MATHIS SRT (GRVC), C.O. KESSIA LIECTH (GRVC LAW LIBRARY), C.O. BRANCHE (GRVC), CAPT MERENYCH SHEILD#1826, GREIVANCE MAN "PARRIS"

THESE OFFICERS AND COMMISSIONERS WAS ACTING UNDER COLOR OF STATE LAW WHEN THEY DECIDED TO VIOLATE PLAINTIFF CONSTITUTIONAL RIGHTS OF THE UNITED STATES OF AMERICA, THE CITY OF NEW YORK IS LIABLE FOR CREATING THE CUSTOM POLICY AND PRACTICE WHICH ALLOWED THESE DEFENDANT(S) TO ENGAGE FULLY AND RECKLESSLY WITHOUT NO DISCIPLINARY ACTION IN VIOLATING PLAINTIFF I.S.C. RIGHTS. EACH OF THESE DEFENDAT(S) PLAYED A ROLE IN PLAINTIFF TYING BEDSHEETS AND CORDS AROUND HIS NECK TO STOP THE PAIN AND RETAILIATION HE SUFFERED ALMOST ON THE DAILY BASIS. ~~XXXX~~ PLAINTIFF PYSCH MEDS HAD TO TWECKED AND INCREASED ON NUMEWROUS OCCASSIONS TO TREAT HIS BRAIN FROM KILLING HIMSELF, IF IT WASN'T FOR THESE INCREASES IN MEDICATIONS FOR HIS BRAIN PLAINTIFF WOULD DEFINITELY NOT HAD MADE IT THROUGH ON THE DEATH TRAP CALL "RIKER'S ISLAND" THE PAIN HE SUFFERED IS TRULY UNEXPLAINABLE, ITS LIKE BEING A .P.O.W IN A THIRD WORLD COUNTRY.

ON 2/19/23 PLAINTIFF ASKED DEFENDANTS CAPTAIN GUAN AND DW PHILLIPS IN THE MAIN CLINIC CAN HE USE THE TTY DEAF PHONE SO HE CAN CALL HIS ATTORNEY. CAPTAIN GUAN AND DW PHILLIPS SAID TO PLAINTIFF HE WILL NOT USE THE TTY PHONE EVER, WE DON'T CARE IF YOU'RE DEAF. STOP SUING US AND MAYBE YOU WILL HAVE A CHANCE. ON 2/18/23 KESSIA LIECTH AND C.O. WALKER CAME TO HOUSING UNIT 1/A GRVC AND TOLD PLAINTIFF HE WILL NO LONGER BE ABLE TO ACCESS THE ~~SMX~~ HIS DISCOVERY WHICH WAS PUT ON A USB TO USE WITH THE LAW LIBRARY TABLET. WHEN PLAINTIFF ASK WHY HE WON'T BE ABLE TO LOOK AT HIS DISCOVERY ? WALKER AND LIECTH BOTH SAID WE GOT THE PAPERWORK YOUR SUING US. PLAINTIFF TOLD AND BEG THEM THAT HE HAS A PENDING TRIAL AND HE REALLY NEEDS TO STUDY HIS DISCOVERY BECAUSE HE IS AN PRO-SE INMATE. THEY BOTH SAID OUR INTENTIONS IS FOR YOU TO BLOW TRIAL. FROM DEC/2/22 TO JAN/16/23 PLAINTIFF WAS MOVED TO WEST FACILITY AS PUNISHMENT FOR FILING LAWSUITS ON GRVC STAFF. PLAINTIFF WAS SENT TO WEST FACILITY WITH STRICT INSTRUCTIONS. AND ONE OF THE ORDERS WAS TO MAKE SURE PLAINTIFF DON'T HAVE ACCESS TO HIS USB DISCOVERY, SO HE WILL BLOW AT TRIAL. SO FOR 6 WEEKS PLAINTIFF DID NOT HAVE ACCESS TO HIS DISCOVERY, WHICH IN TURNED FORCE PLAINTIFF TO TAKE A PLEA DEAL TO 6 YRS 5 POST SUPERVISION. PLAINTIFF WILL HAVE NEVER TAKEN THAT PLEA DEAL IF HE WAS ABLE TO FULLY EXAMINE HIS DISCOVERY IN THE MOST CRUCIAL OF TIMES. SO NOW PLAINTIFF NEXT TRIAL IS ON MARCH/1/23 HE WILL HAVE TO TAKE A PLEA FORCEFULLY BECAUSE OF KESSIA LIECTH AND LAW LIBRARY STAFF HOLDING PLAINTIFF DISCOVERY AND NOT ALLOWING PLAINTIFF A FIGHTING CHANCE IN THE CRIMINAL COURT JUSTICE SYSTEM. PLAINTIFF ATTEMPTED ANOTHER SUICIDE ATTEMPT AFTER LEARNING THIS IS KESSIA LIECTH PLANS. ON 2/18/23 ADW HENRY WALKS INTO HOUSING UNIT 1/A WITH 3 OF HER SECURITY OFFICERS. SHE WALKS TO EVERY CELL AND PEEKS IN, WHEN PLAINTIFF ASKED HER CAN SHE PLEASE GET THE BIG PILE OF TRASH OFF THE HOUSING UNIT FLOOR RATS AND ROACHES HAS BEEN GOING IN AND OUT OF THE TRASH ALL NIGHT. SHE TOLD THE PLAINTIFF NO AND THE TRASH WILL STAY THERE ANOTHER NIGHT AND SHE HOPES THE RATS AND ROACHES CLIMB ALL OVER PLAINTIFF.

ON 2/19/23 DW PHILLIPS CAME TO LAW LIBRARY CELL AND TOLD PLAINTIFF THAT HE MUST USE A GARBAGE BAG TO URINATE IN BECAUSE THEY WILL NOT BE NO RUNNING BACK AND FORTH FROM CELL 1 TO PLAINTIFF CELL 4 TO USE THE BATHROOM. JUST ASK THE OFFICERS FOR A PLASTIC BAG AND THEY WILL GLADLY GIVE YOU ONE TO USE THE BATHROOM. OFFICER REESE PASS PLAINTIFF PLASTIC GARBAGE BAG IN CELL 1 AT 10:45AM SEE GENTEE, THIS VIDEO WILL SHOW JUST HOW COURT- THESE DEFENDANTS NAMED HEREIN KNOWS THE EFFECTS OF SOLITARY CONFINEMENT BOTH ON THE MENTAL AND PHYSICAL CONDITIONS OF INMATES IT IS BEYOND DEBATE THAT SUBJECTING PLAINTIFF MR. KWAIN THOMPSON TO 24/HOURS SUCH TREATMENT WILL ONLY WORSEN HIS HEALTH AND MENTAL CAPACITY/THE BOARD RECOGNIZED THE DANGER OF ISOLATION TO INDIVIDUALS WITH DISABILITIES. PLAINTIFF WAS ON SUICIDE WATCH FOR 37 DAYS STRAIGHT AND HAS CONFIRMED HIS P.T.S.D. HE SHOULD HAVE NEVER UNDER ANY CIRCUMSTANCES BEEN SUBJECTED TO 23/HOURS PUNITIVE SEGREGATION. THE BOC ~~XXXX~~ MADE CLEAR THAT CLINICAL DECISIONS WOULD CONTROL BY ADOPTING THE FOLLOWING LANGUAGE: PLAINTIFF WAS PLACED IN 23/HOUR FOR PHONE RESTRICTIONS. ITS NO WAY THE DOC COULD NOT FOUND A BETTER WAY THAN SUBJECTING PLAINTIFF WHO HAS HEARING DISABILITY/SEEING AND MENTAL/WALKING DISABILITY TO 23/HOURS IN A CELL. THIS WHAT MADE PLAINTIFF TRY TO KILL HIMSELF FOR 37 DAYS STRAIGHT. STILL THE DOC DID NOT PROVIDE A HIGHER CARE OF TREATMENT WHEN THEY NOTICE THIS MAN WAS ON SUICIDE WATCH FOR 37 DAYS STRAIGHT. HE SHOULD HAVE BEEN SENT TO BELLEVUE OR MID-HUSON PSYCHIATRIC CENTER. BUT INSTEAD PLAINTIFF WAS LEFT TO SQUANDER IN HIS OWN FEACES FOR 37 DAYS STRAIGHT ATTEMPTING SUICIDE, THIS IS HOW THE FAILED POLICIES SUBJECTS BLK AND LATINO'S TO DEATH WHILE AWAITING CRIMINAL CASE ON RIKER'S ISLAND DEATH TRAP. THE USE OF PUNITIVE SEGREGATION WAS LIMITED TO 30 DAYS FOR ANY SINGLE INFRACTION, AND 30 CONSECUTIVE DAYS OVERALL (&1-17(d)(1), WITH 7 DAYS OUT BEFORE AN INDIVIDUAL CAN BE RETURNED TO PUNITIVE SEGREGATION.(&1-17(d)(2). NO ONE CAN BE HELD IN PUNITIVE SEGREGATION FOR MORE THAN 60 DAYS WITHIN A SIX-MONTH PERIOD UNLESS THE PERSON CONTINUES TO ENGAGE IN "PERSISTENT ACTS OF VIOLENCE" THAT CANNOT BE ADDRESSED BY PLACEMENT IN ENHANCED SUPERVISION HOUSING (&1-17(d)(3). INDIVIDUALS WHO COMMIT GRADE 2 OFFENSES MUST GET 7 HOURS OUT OF CELL A DAY DURING ANY PERIOD OF PUNITIVE SEGREGATION(&1-17(e). EXCLUSION FROM PUNITIVE SEGREGATION & 1-17(b)(1)(i) INMATES UNDER THE AGE 18, (ii) AS OF

JANUARY 1, 2016 INMATES AGES 18-21 PROVIDED THAT SUFFICIENT RESOURCES ARE MADE AVAILABLE TO THE DEPARTMENT FOR NECESSARY STAFFING AND IMPLEMENTATION OF NECESSARY ALTERNATIVE PROGRAMMING; AND (iii) INMATES WITH SERIOUS MENTAL OR SERIOUS PHYSICAL DISABILITIES OR CONDITIONS.

IT ~~WAS~~ WAS MADE VERY CLEAR BY THE BOARD OF CORRECTION AT THE TIME THE NEW STANDARDS WERE ADOPTED THAT CLINICIANS ARE TO MAKE THE DECISIONS AND THAT THE EXCLUSION WAS NOT LIMITED TO SOME SET OF DIAGNOSES BUT WAS DEFINE BROADLY UNDER THE NYC HUMAN RIGHTS LAW DEFINITION OF DISABILITIES. INDEED, THE BOARD CLEARLY DELINEATED THE NECESSITY OF DUE PROCESS PROTECTION FOR ALL INDIVIDUALS WHO MIGHT BE SUBJECTED TO ISOLATION IN THE CITY JAILS:

& 1-17(c)(1)(2)(~~33~~)(4)(5) NOTICE, NECESSARY ASSISTANT, HEARING (WITHIN 7 DAYS IF IN PRE-HEARING CONFINEMENT), ATTENDANCE, PERMITTED TO MAKE STATEMENTS, PRESENT EVIDENCE AND CALL WITNESSES, FACILITATOR IF ILLETERATE OR UNABLE TO UNDERSTAND OR IF NEEDED TO OBTAIN WITNESSES AND EVIDENCE, BURDEN OF PROOF ON DOC PREPONDERANCE OF THE EVIDENCE BEFORE ANY PUNITIVE SEGREGATION. PLAINTIFF MR. KWAIN THOMPSON HAS BEEN GRANTED NO SUCH HEARING, IN VIOLATION OF HIS DUE PROCESS RIGHTS, AND ACCORDINGLY SEEKS A PROMPT AND IMMEDIATE HEARING. THE NYC DEPT OF CORR IS SUBJECT TO OVERSIGHT AND REGULATORY REVIEW BY THE NYC BOC. THE BOC HAS EXPERTISE REGARDING THE INCARCERATION OF INDIVIDUALS IN THE CITY JAILS AND IT HAS ISSUED SPECIFIC STANDARDS ON MULTIPLE AREAS OF JAIL MANAGEMENT INCLUDING: VISITATION, RECREATION, OUT OF CELL TIME, PACKAGES, VISITS, PUNITIVE SEGREGATION, AND MEDICAL AND MENTAL HEALTH CARE. THESE ACTS AS MINIMUM PERMISSABLE STANDARDS FOR INDIVIDUALS INCARCERATED IN THE CITY JAILS AND PROTECT THEIR RIGHTS TO INTER ALIA-FOOD, CLOTHING, SHELTER, SANITATION, RELIGIOUS RIGHTS, MEDICAL CARE, DUE PROCESS RECREATION, AND PROTECTION FROM HARM. THE BOC MINIMUM STANDARDS "ARE LEGAL MANDATES WITH WHICH THE DOC, THROUGH ITS COMMISSIONER, IS DUTY BOUND TO COMPLY." IN RE JACKSON, 27 MISC 3d 474 (SUP. CT, N.Y. CITY. 2010). A COURT OF LAW HAS JURISDICTION TO ENFORCE THE MINIMUM STANDARDS. PEOPLE EX rel. FURDE-V-N.Y. DEPT OF CORR, 9 MISC. 3d 268, 281, n.18 (SUP. Ct BRONX CITY. 2005). THIS ORDER FOR PLAINTIFF ISSUED BY THE COURT INAPPROPRIATELY IGNORES THE EXPERTISE AND FUNCTIONS OF THE NYC BOC AND SHOULD BE RESCINDED.

THIS IS NECESSARY WHERE, AS HERE, NEITHER THE MANHATTAN DISTRICT ATTORNEY'S OFFICE OR THE DOC HAS APPROACHED THE BOC IN AN ATTEMPT TO SEEK A LEGAL AND HUMANE ALTERNATIVE TO THIS 23-HOUR LOCKDOWN; UNTIL THAT HAS BEEN DONE, THERE IS NO REASON FOR THE COURT TO CONTINUE THIS INHUMANE AND ILLEGAL ORDER BEFORE ALL OTHER ALTERNATIVES HAVE BEEN EXHAUSTED. THIS ORDER IS IN VIOLATION OF STATE AND FEDERAL DUE PROCESS RIGHTS (BOTH 14TH AMENDMENT DUE PROCESS IN TERMS OF PROCEDURE AND IN TERMS OF APPLICATION OF THE 8TH AMENDMENT PROHIBITION AGAINST CRUEL AND UNUSUAL PUNISHMENT TO JAILS). PLAINTIFF COURT ORDER SEEKS TO IMPOSE AN UNLIMITED PERIOD OF SOLITARY CONFINEMENT WITHOUT DUE PROCESS PROTECTIONS, WHICH PLAINTIFF KWAIN THOMPSON HAS SUFFERED 4YRS WITHOUT TALKING TO HIS MOTHER OR KIDS AND LOST HIS WIFE DUE TO HIM NOT BEING ABLE TO COMMUNICATE. AND THE HARSHNESS OF HIS ~~VISITS~~ VISITS BEING STRIPPED AWAY FROM HIM WITHOUT NO DUE PROCESS.

THE SUPREME COURT OF THE UNITED STATES HAS HELD THAT PRISONERS ARE ENTITLED TO CERTAIN DUE PROCESS PROTECTIONS BEFORE THEY CAN BE PLACED INTO DISCIPLINARY SOLITARY CONFINEMENT. WOLF-V-McDONNELL, 416 U.S. 539 (1974). THOSE DUE PROCESS PROTECTIONS INCLUDE NOTICE, AN OPPORTUNITY TO BE HEARD, AND AN OPPORTUNITY TO CALL WITNESSES AND PRESENT DOCUMENTARY EVIDENCE. THE PROCESS IN PLAINTIFF MR. K, THOMPSON CASE WAS EX-PARTE HEARING THAT AFFORDED NONE OF THE PROTECTIONS PRESCRIBED BY WOLF.

PLAINTIFF SUFFERED A HEAT STROKE AND WAS HOSPITALIZED FOR 10 DAYS IN BELLEVUE HOSPITAL DUE TO HIM NOT BEING PLACED IN HEAT SENSITIVE HOUSING. SEE; ATTACHED EXHIBIT FOR HEAT SENSITIVE HOUSING. SEE; EXHIBIT FOR PREA, IF DOC FOLLOWED THEIR OWN POLICY PLAINTIFF WOULD NOT HAVE BEEN SUBJECTED TO TREMENDOUS AMOUNTS OF RETALIATION.

AND I ALSO WAS TOLD BY MCNEIL HE'S SENDING ME TO THE WEST FACILITY BECAUSE HE KNOWS THAT THEY DON'T GOT NO GRIEVANCE PERSONELL SO I WANT BE ABLE TO FILE ANYMORE GREIVANCES. HE KNEW IT WAS HOSPITAL WITH NO CURTAINS IN THE SHOWER AREA SO INMATES CAN WALK BY AS WELL AS OFFICERS AND OTHER DOC STAFF AND SEE ME NAKED WHEN I TAKE SHOWERS. AND HE ALSO TOLD ME THAT THE CELL THAT I'M SENDING YOU TOO HAS BLACK SMOKE MOOT ALL OVER YOUR CELL DOOR AND INSIDE YOUR CELL AND I KNOW THIS WILL BOTHER YOUR ASTHMA, HE SAID YES THOMPSON I'M SENDING YOU TO A NEW HELL IN C.D.U WEST FACILITY.

3. ADW HENRY TOLD ME THAT SINCE I FILED A LAWSUIT AGAINST HER SHE IS SENDING ME TO WEST FACILITY TO TAKE MY CONTACT VISITS, SHE SAID SHE GOT PLENTY TRICKS UP HER SLEEVE, SHE SAID I TOOK YOUR CONTACT VISITS FOR 90 DAYS IN THE YEAR 2022 SUMMERTIME AND YOU THOUGHT I COULDN'T TAKE YOUR CONTACTS VISITS AGAIN, BUT I;M GOING TO PROVE TO YOU AS LONG AS YOU KEEP FILING THESE LAWSUITS AGAINST DOC STAFF I'M GOING TO MAKE YOUR LIFE A LIVING HELL. SHE TOLD ME EVEN THOUGH IS A MEDICAL UNIT I'M GOING TO MAKE SURE YOU MISS YOUR SICK-CALL APPOINTMENTS. AND I'M GOING TO MAKE SURE YOU WON'T BE ABLE TO FILE ANY GREVIANCES WHERE I'M GOING TO SEND YOUR HOMOSEXUAL ASS. AND SHE KEPT HER WORD. AND SHE SAID AS LONG AS YOUR IN THE WEST FACILITY SHE IS GOING TO ~~XXXXX~~ TELL THE OFFICERS IN WEST FACILITY DON'T ALLOW ME TO HAVING MY WALKING CANE INSIDE MY CELL, JUST SO I CAN BE BEDRIDDEN AND NOT WALK AROUND MY CELL, AND SHE WAS GOING TO MAKE SURE I DON'T GET NO SHOWER CURTAIN IN MY CELL JUST I CAN BE A SPECTACLE FOR ANYONE AND EVERYONE THAT WALKS PASS MY CELL, AND SHE SAID I HOPE U LOVE THE SMELL OF ALL THE BLACK SMOKE THAT'S ALL OVER YOUR CELL DOOR AND INSIDE YOUR CELL, YOU WILL NEVER GET IT PAINTED OVER ACCOMIDATIONS OF ME LOSER.

4. WHEN PLAINTIFF WENT TO GRIEVE THE LIVING CONDITIONS PLACED UPON HIM AT WEST FACILITY I WAS TOLD SPRUNG 6 DID NOT HAVE A GRIEVANCE BOX AND ANY GRIEVANCE THAT WILL BE PASS TO AN OFFICER WILL BE TORN TO SHREDS, THIS WAS TOLD TO ME BY BLACK FEMALE OFFICER BETHEA AT SPRUNG 6. ALSO OFFICER BETHEA TOLD ME EVERY TIME SHE GIVES ME THE ~~XXXXXX~~ PHONE TO CALL MY LAWYER I WILL NOT HAVE ANY PRIVACY BECAUSE SHE BET NOT HEAR ANY COMPLAINTS TO MY LAWYER.

AND SHE STOOD THERE INTENTLY AND LISTEN TO MY LAWYERS CALLS EVERYTIME, PLZ LOOK AT THE GENTEC VIDEO TO SEE WHAT TYPE OF PRESSURE PLAINTIFF WAS UNDER IN THE MEDICAL UNIT. I ASK OFFICER BETHEA WHY I HAVE TO BE IN C.D.U ? SHE SAID C.D.U STANDS FOR COMMUNICABLE DIEASE UNIT FOR INMATES WITH COVID-19 OR MONKEYPOX, BUT WHEN YOU FILE LAWSUITS ON OFFICERS THIS IS WHERE THEY WILL SEND YOU TO TECH YOU A REAL LESSON. THEN BETHEA SAID I DON'T LIKE INMATES LIKE YOU, YOUR SUING MY BIOLOGICAL SISTER OFFICER KENOL FROM G.R.V.C AND SHE TOLD ME YOU WERE COMING OVER TO THE WEST AND SHE GAVE ME MY INSTRUCTIONS ON EXACTLY HOW TO TREAT YOU, SHE SAID ~~XXXX~~ TO MAKE SURE YOUR LIFE IS A LIVING HELL IN THE WEST FACILITY. SHE SAID I'M GOING TO MAKE SURE ALEXANDER WILLIAMS COME OUT HIS CELL AND YOU CAN WATCH HOW I GIVE HIM EXTRA EVERYTHING AND I WILL KEEP ALEXANDER WILLIAMS SLOT OPEN SO HE CAN GET FRESH AIR BECAUSE I KNOW THERE IS NO WINDOWS IN YOUR CELL FOR FRESH AIR. EVEN THOUGH ALL YOU INMATES ARE 23/HOURS LOCKDOWN I DO LET INMATES OUT IF THEY FLASH ME IN THE SHOWER, INMATE DAVID MARREO HE IS LATINO AND I WILL ALWAYS LET HIM OUT JUST SO YOU CAN SUFFER AND I WILL GIVE DAVID MARREO 3 HOURS AT RECREATION AND YOU WILL ONLY GET ONE. AND SHE SAID DON'T EVER ASK HER ABOUT GETTING MY BURNT UP TO A CRISP CELL DOOR PAINTED OVER I HOPE YOUR ASTHMA KILLS YOU FOR SUING MY SISTER KENOL, I'M GOING TO TREAT YOU WORST THAN AN ANIMAL LONG AS YOUR AT WEST FACILITY, OFFICER MCNEIL AND ADW HENRY FROM GRVC SENT YOU TO US WITH SPECIFIC INSTRUCTIONS WELCOME TO YOUR GRAVE MONSTER..

5. OFFICER RICHARDSON FROM SPRUNG 6 WEST FACILITY TOLD ME AS SOON AS I ENTER WEST FACILITY THAT I WILL NOT BE ABLE TO FILE NO GRIEVANCES OR FILE ANYMORE LAWSUITS, HE SAID HE HEARD ABOUT ME FROM HIS BUDDY SECURITY OFFICER MCNEIL FROM (GRVC) AND ADW HENRY FROM (GRVC) AND THEY SENT ME TO THE C.D.U WITH SPECIFIC INSTRUCTIONS FOR HIM AND HE PLAN TO TO FOLLOW THOSE INSTRUCTIONS TO A T. FIRST HE SAID YOUR CONTACT VISITS ARE DEAD YOU CAN FORGET ABOUT EVER TOUCHUING YOU FAMILY ON THE VISIT EVER AGAIN, IT JUST WON'T HAPPEN FOR YOU. I'M GOING TO INFORM ALL THE VISITING OFFICER TO PUT A RED DOT ON YOUR NAME TO MAKE SURE WHEN YOUR

VISITOR COME TO WEST FACILITY YOU WILL BE IN THE BOOTH (NON-CONTACT) AND ALSO I HEARD YOU LIKE TO GRIEVE OFFICERS SO YOU CAN FILE A LAWSUIT, SO LONG AS YOUR HEAR YOU WILL NOT BE ALLOWED TO FILE NO GRIEVANCES, I MADE SURE THIS FACILITY HAS NO GRIEVANCE OFFICER, SO YES OFFICER HENRY (ADW) AND SECURITY OFFICER MCNEIL KNEW EXACTLY THE RIGHT SPOT TO SEND YOU TO PUNISH YOU FOR FILING LAWSUITS AGAINST THEM IN G.R.V.C, SO I'M GOING TO MAKE SURE YOUR GOING TO HAVE THE WORST TIME HERE IN THE C.D.U. I KNOW YOUR NOT ALLOWED TO COME OUT YOUR CELL 23/HOURS IN YOUR CELL, BUT I'M GOING TO MAKE YOU JEALOUS, YOUR GOING TO HAVE TO WATCH ME LET OUT OTHER INMATES THAT CAME WITH YOU FOR HOURS. I'M GOING TO LET ALEXANDER WILLIAMS OUT FOR HOUR WHEN I'M WORKING JUST TO TAUNT YOU, AND I'M GOING TO LET OUT DAVID MARREO, AND TREVOR FORREST , YOUR GOING TO WATCH HOW I TREAT INMATES THAT SUE MY FELLOW OFFICERS, I HEARD YOU TAKE PYSCH MEDS, WELL I'M GOING TO MAKE SURE THE MENTAL HEALTH DOCTORS NEVER COME SEE YOU, I RUN THIS FACILITY YOU WILL SEE HOW MUCH POWER I GOT. I DO WHAT I WANT, YOUR IN MY HOUSE, SO NOW I KNOW YOUR AN ASSHOLE, I'M GOING TO TREAT YOU JUST LIKE ONE EVERYTIME I WORK HERE. I'M ALSO GOING TO MAKE SURE WHEN YOU GET PACKAGES DELIVERED I'M GOING TO MAKE SURE YOU GET NO PROPERTY RECIEPT AND MAKE SURE THEY LOSE YOUR PROPERTY AND YOUR GOING TO HAVE TO SUE THE JAIL TO GET REFUNDED, All I WANT TO DO IS DISCOURAGE YOUR FAMILY FROM SENDING YOU ANY PACKAGES IN THE MAIL. AND ON JAN/16/2023 OFFICER RICHARDSON TOLD CAPTAIN MATHIS THAT I GOT A BRAND NEW PACKAGE FROM THE CITY OF DETROIT WITH SHOES INSIDE AND SOCKS AND TO MAKE SURE HE GIVES ME THE SOCKS BUT NOT THE SHOES, AND CAPTAIN MATHIS DID JUST THAT. PLZ LOOK AT THE GENTEC VIDEO FROM JAN/16/2023. THIS IS THE TRACKING NUMBER FROM THE UNITED STATES PARCEL SERVICE # 1220296U0372249706 AS YOU WILL SEE BY THE GENTEC NEVER GIVEN ANY SHOES OR PROPERTY RECIEPT. TOTALLY DESTROYED BECAUSE OF RETALIATION FROM OFFICERS I HAVE PENDING LAWSUITS AGAINST, GOT ME FEELING LIKE TAKING MY LIFE. AND I HOPE YOU DIE FROM THE BLACK MOOT FIRE SMOKE ON YOUR CELL DOOR AND INSIDE YOUR CELL, DONT YOU EVER ASK TO GET THE DOOR AND WALLS PAINTED SAID OFFICER RICHARDSON.

6. SECURITY CAPTAIN ROLLINSON FROM WEST FACILTY MET WITH OFFICER MCNEIL ON DEC/2/2022 WHEN HE DROP US OFF ~~XXXXXX~~ AT C.D.U AT NIGHT IN WEST FACILITY. MCNEIL SPECIFICALLY INTRODUCE CAPTAIN ROLLINSON TO ME AND SAID MAKE SURE YOU GIVE THOMPSON THE WELCOME MAT TO HELL. AND CAPTAIN ROLLINSON SAID HE SURE WILL. FROM DAY ONE CAPTAIN ROLLINSON WASTED NO TIME HE GAVE INSTRUCTIONS TO C.O. RICHARDSON AND C.O. BETHEA AND C.O. DANIELS AND MEDICAL STAFF ON HOW TO TREAT ME. HE WALK ME TO MY CELL AND SAID I HEARD YOU GOT ASTHMA I HOPE THIS BURNT UP CELL YOU CAN INHALE THE BLACK TAR FUMES, I WILL NEVER HAVE YOUR CELL DOOR PAINTED OVER. AND WHILE YOUR HEAR YOU WILL NOT BE GIVEN A SHOWER CURTAIN FOR YOUR CELL, I WANT EVERYBODY WHO WALK PASS YOUR CELL SEE YOUR FAGGOT ASS IN THE SHOWER AND IF YOU TRY TO MAKE A SHOWER CURTAIN, I WILL MAKE SURE THE OFFICERS WRITE YOU AN INFRACTION AND THEN I WILL TAKE AWAY YOUR TABLET FOR YOU TO CALL YOUR LAWYER. AND GUESS WHO'S GOING TO WATCH YOU WHEN YOU LAY IN YOUR BED EVERYNIGHT AND ALSO EVERY TIME YOU SHOWER, I SAID WHO, HE SAID I'M PUTTING ALEXANDER WILLIAMS INFRONT OF YOUR CELL SO HE CAN WATCH YOU. CAPTAIN ROLLINSON SAID MCNIEL GAVE HIM THE FULL SCOOP ON ME AND TOLD HIM THAT I LIKE TO FILE GRIEVANCES, SO I MADE SURE THAT THIS FACILITY DON'T HAVE NO GRIEVANCE BOX IN SPRUNG 6 AND I MAKE SURE YOU WILL NEVER SEE A GREVANCE OFFICER. I TOLD HIM YOU CAN'T DO THAT EVERY FACILITY HAS A GRIEVANCE BOX TO PUT YOUR GREIVANCE IN AND EVRY FACILITY HAS AN GREIVANCE OFFICER. HE THEN SAID WELCOME TO HELL THIS IS NOT A REGULAR FACILITY THIS IS C.D.U A MEDICAL FACILITY, THEN I TOLD HIM WHAT AM I DOING OVER HERE I DON'T HAVE COVID-19, HE SAID YOUR A REAL DUMMY YOUR HERE BECAUSE YOU WAS ENT TO ME TO MAKE YOU DROP YOUR LAWSUITS AGAINST MY FELLOW OFFICER IN G.R.V.C NO OTHER REASON. AND I I ALSO TOLD MY VISITING OFFICER DANIELS TO NEVER EVER LET YOU GET CONTACT VISIT WITH YOUR FAMILY, AND I KNOW WE ARE GOING TO GET AWAY WITH BECAUSE WE KNOW HOW TO COVER EACH OTHER BACKS. AND NOW YOUR GOING TO FEEL FIRE SET TO YOUR BLACK ASS FOR FUCKING WITH MY PEOPLE.

7. ON MY VERY FIRST VISIT WIUTH MY SON IN WEST FACILITY OFFICER DANIELS TOLD

ME THAT DON'T EXPECT TO GET A CONTACT VISIT WITH YOUR SON I WAS GIVEN
~~XXXX~~ ORDERS NOT TO EVER LET YOU TOUCH YOUR FAMILY AGAIN. ANOTHER JAIL(EMTC C-
 76) WILL HAVE CONTACT VISITS IN OUR FACILITY BEFORE I ALLOW YOU WHO LIVE
 AT OUR FACILTY YOU WILL NEVER HAVE A CONTACT VISIT, STOP SUING OUR OFFICERS.
 I BEGGED OFFICERS DANIELS PLEASE ALLOW ME TO ~~TEKMEM~~ TOUCH MY FAMILY, I'M
 IN A CELL 23/HOURS OUT THE DAY FOR 4 YRS STRAIGHT I NEED THE TOUCH OF ANOTHER
 HUMAN BEING TO KEEP MY SANITY. OFFICER DANIELS SAID FUCK YOUR SANITY I DON'T
 CARE IF YOU HANG UP IN YOUR CELL TONIGHT. AND YOU BET NOT ASK ME EVER FOR
 A CONTACT VISIT LONG AS YOU LIVE, BECAUSE IF YOU DO I WILL MAKE SURE I TAKE
 AWAY YOUR BOOTH VISITS, THIS IS HOW WE TREAT INMATES WHO SUE US, WE TAKE
 CARE OF OUR OWN. NOW GO BACK TO YOUR CELL AND KILL YOURSELF...

8. NOW CAPTAIN MATHIS FROM THE SRT TEAM ON JAN/16/2023 CAME TO MY CELL
 AND SHOWED ME A PAIR OF BLACK TIE UP DRESS SHOES THAT WAS ENT TO ME FROM
 MY FAMILY IN DETRIOT., TRACKING NUMBER # 1220296U0372249706 (SEE GENTECT)
 TOLD ME I WILL NOT GIVE YOU A PROPERTY RECIEPT FOR YOUR SHOES BECAUSE I MUST
 MAKE AN EXAMPLE OUT OF YOU FOR SUING OFFICERS IN G.R.V.C ESPECIALLY MY GIRL-
 FRIEND ADW HENRY, YOU CAN KISS YOUR NEW SHOES GOODBYE, THESE ARE MY SIZE
 AND YOU WILL NEVER SEE THESE SHOES AGAIN, SINCE YOUR SO GOOD AT LAWSUITS
 SUE ME. AND KILL YOURSELF WHILE YOUR AT IT. PLAINTIFF ALMOST LISTENT TO CAPTAIN
 MATHIS AND TIED A ROPE AROUND MY NECK THAT NIGHT IN A CELL, I BARELY MADE
 IT.

9. SINCE WEST FACILTY DID NOT HAVE NO GRIEVANCE BOX OR GRIEVANCE OFFICER
 THE PLAINTIFF ASSERETS THAT DEFENDANTS AND/OR "CITY" WERE ESTOPPED IN REASON
 WHY THE PLAINTIFF WAS NOT ABLE TO EXHAUST HIS REMEDIES IN PURSUANT TO PLRA
 42 U.S.C & 1997, AND SINCE PLAINTIFF PHONE LINE IS RESTRICTED TO ONLY BEING
 ABLED TO DIAL NUMBERS LISTED ON HIS COURT ORDER, THE PLAINTIFF WAS ALSO ROBBED
 OF CALLING 311 TO FORMALLY LODGE A COMPLAINT IN THE TIMELY FASHION GOVERNED
 BY THE GRIEVANCE POLICIES OF NYC DOC. AND FOR THIS REASON THE PLAINTIFF ASK

THAT THE DEFENDANTS BE ESTOPPED BY THE COURTS FROM ASSERTING THE DEFENSE OF NONEXHAUSTION DUE TO THE FACT THAT THE DEPARTMENT OF CORRECTION ITSELF PREVENTED THE PLAINTIFF FROM EXHAUSTING HIS REMEDIES, CITING RIVERA V. PATAKI, 2005 U.S. DIST LEXIS 2747.

10. ON DECEMBER/4/2022 IN WEST FACILITY THE PLAINTIFF ATTEMPTED TO CALL SICK-CALL FOR MY ASTHMA BY DIALING 614# THE SICK-CALL HOTLINE NUMBER AS INSTRUCTED BY DOC POLICIES AND WAS UNABLE TO DO SO, BECAUSE THIS VITAL NUMBER WAS NOT ADDED TO MY PHONE LIST BY OFFICER MCNIEL AND ADW HENRY AND SECURITY CAPTAIN OF WEST FACILITY ROLLINSON.

11. THE PLAINTIFF IS MUSLIM INMATE AND BY HIS RELIGIOUS BELIEFS THAT HE SHOULD NOT BE SEEN BY ANYONE OTHER THAN HIS WIFE NAKED WITHOUT VIOLATING HIS RELIGIOUS BELIEFS.

12. CAPTAIN CARTER FROM (GRVC) ON 1/27/2023 AT 6:55PM TOLD OFFICER RODRIGUEZ TO MAKE SURE HE COMES OUT OF ONE CELL BECAUSE SHE DON'T WANT ME TYPING UP NO OTHER LAWSUITS. AND SHE WILL DO WHATEVER IT TAKES TO MAKE SURE I DROP MY ~~XXXXXXXX~~ LAWSUITS. SHE TOLD ME SHE PLANS TO MAKE SURE MY LIFE IS MISERABLE IN G.R.V.C.

13. THE SPRUNG AT WEST FACILITY WHERE PLAINTIFF WAS HOUSED AT IN RETALIATION CELL 614 WAS MADE UP OF ENTIRE GLASS WHICH ALLOWED CORRECTIONAL OFFICIALS FEMALE AND MALE TO VIEW THE PLAINTIFF AT TIMES WHEN HE WAS IN THE SHOWER OR USING THE TOILET TO SIT DOWN/ OR STAND UP. THIS SHALL LEAD TO THE PRESER-- VATION OF VIDEO FOOTAGE MADE BY THE PLAINTIFF ON THE FRONT PAGE OF THIS CIVIL SUIT.

14. THE CONSTANT SURVEILLANCE OF THE PLAINTIFF INSIDE OF CELL MADE OF ENTIRE GLASS ALSO VIOLATES HIS FIRST ADMENDMENT RIGHTS BEING RECORDED WHILE PRAYING AND OR SHOWERING WITHOUT DUE PROCESS AS WELL AS EQUAL PROTECTION RIGHTS WHEREAS NO OTHER INMATES ARE SUBJUECTED TO THE SAME OR ALL OTHER INMATES ARE NOT SUBJECTED TO THE SAME CARE AND TREATMENT.

15. ON JANUARY 7 2023 THE PLAINTIFF WAS PLACED IN ENHANCE RESTRAINTS SET UP WITH SHACKLES TO BE TAKEN TO THE YARD BY DEFENDANTS C.O. ANDERSON

THE PLAINTIFF PRESENTED DOCUMENTATION THAT HE WAS NOT ENHANCE RESTRAINTS BECAUSE HE NEVER WENT TO A CMC EHANCE RESTRAINT HEARING AND SHOULD NOT BE SUBJECTED TO THIS TYPE OF TREATMENT. AND THEN PLAINTIFF WAS TOLD IF HE DROP HIS LAWSUITS AGAINST GOOD OFFICER THE RESTRAINTS AND SHACKLES WILL NEVER HAPPEN AGAIN,,I TOLD C.O. ANDERSON GIVE ME SOME TIME TO THINK ABOUT DROPPING MY LAWSUIT, BUT CAN YOU PLEASE GET ME MOVE OUT OF WEST FACILITY IF I PROMISE YOU I WILL DROP MY LAWSUIT. HE SAID HE COULD GET ME MOVE OUT OF WEST FACILTY HE JUST GOT TO TALK TO A FEW -CO-WORKERS IN HIGH PLACES BUT ITS POSSIBLE. DROP THE LAWSUITS AND I WILL MAKE SURE YOU GET YOUR CONTACT VISITS BACK. I TOLD HIM THAT A DEAL I CAN'T REFUSAE I MISS TOUCHING AND HOLDING MY FAMILY ON THE VISIT. I TOLD HIM I WILL WRITE THE COURTS TODAY AND TELL THEM TO DISMISS MY LAWSUITS. HE THEN SAID OKAY I WILL HAVE YOU MOVE IN LESS THAN TEN DAYS SO YOU CAN GET YOUR CONTACT VISIT BACK. HE KEPT HIS PROMISE BECAUSE ON THE 16TH OF JANUARY 2023 I WAS MOVE BACK TO (GRVC) AND GIVEN MY CONTACT VISITS BACK IMMEDIATELY.

16. DW MILLER OF WEST FACILITY CAME TO MY CELL ON JANUARY 6 2023 AT 6 20PM AND TOLD ME YOUR ARE GOING TO BE ENHANCE RESTRAINTS WHEN YOUR HERE AT MY WEST FACILITY, I HEARD ABOUT ALL YOUR LAWSUITS. YOU BETTER FROP YOUR LAWSUITS IF YOU KNOW WHATS GOOD FOR YOU. THE PLAINTIFF TOOK THIS AS A DIRECT THREAT FROM A MAN IN POSITION OF POWER AND FELT INTIMIDATION WHICH VIOLATES MY FEDERAL RIGHTS PURSUANT TO 42 U.S.C & 1985(2)(3) AND THAT THE DEFENDANT DW MILLER WOULD AND DID ENGAGED IN THE CREATION OF A POLICY CUSTOM THAT LEAD TO THE MISTREATMENT AND ENHANCE RESTRAINTS AGAINST THE PLAINTIFF.

17. I ASK THE PLAINTIFF ASK CAPTAIN LOPEZ FOR A GRIEVANCE FORM SO HE CAN DROP IN THE GRIEVANCE BOX IN ANOTHER SPRUNG SO THE PLAINTIFF COULD SOME HOW BRING ATTENTION TO WHAT WAS GOING ON WITH HIM. IN RESPONSE CAPTAIN LOPEZ STATED HE WILL NOT GO AGAINST HIS OFFICERS FOR ANY MATTER THAT PLAINTIFF MIGHT HAVE. AND INFORMED THE PLAINTIFF IT WILL BE WISE IF YOU DRIPPO YOUR LAWSUIT. THE VIOLATION OF THE PLAINTIFF FEDERAL RIGHTS PURSUANT TO 42 U.S.C & 1985(2)(3)..

AND THAT DEFENDANTS WAS NOT GOING TO PREVENT HARM OR PREVENT FURTHER VIOLATIONS OF PLAINTIFF RIGHTS AS PURSUANT TO FEDERAL STATUE 42 U.S.C. & 1986 CAPTAIN LOPEZ INSISTED THAT I BE PLACED IN ENHANCE RESTRAINTS EVERY TIME PLAINTIFF STEP OUT HIS CELL AND FOR PLAINTIFF TO BE SEARCH 3 TIMES IN ONE DAY FOR ALMOST 2 WEEKS STRAIGHT UNTIL PLAINTIFF SUBMIT TO DROPPING HIS LAWSUITS AGAINST HIS FELLOW OFFICERS. THESE TACTICS DEPLOYED BY DEFENDANTS IS A FORM OF PUNISHMENT, RETALIATION AND INTIMIDATION IN AN ONGOING CIVIL FEDERAL LAWSUIT WHICH VIOLATED THE PLAINTIFF CONSTITUTIONAL RIGHTS PURSUANT TO 42 U.S.C. & 1985(2)(3) AND LEAVING EACH DEFENDANT GUILTY AND/OR LIABLE IN PURSUANT TO 42 U.S.C. 1986 FOR FAILING TO PREVENT FURTHER HARM WHILE EACH OF THE DEFENDANTS WATCHED OR OTHERWISE DIRECTLY TOOK PART IN THE CONDUCT WHILE THE OTHER DEFENDANT ENGAGED IN THE VIOLATION OF THE PLAINTIFF RIGHTS.

18. THE PLAINTIFF LATER LEARNED FROM INMATE ALEXANDER WILLIAMS B&C # 141-18-01632 THAT WHILE SEARCHING HIS CELL SRT TEAM MEMBER DISCUSS THE FACT THEY WAS ORDERED TO VIOLATE PLAINTIFF CELL AND GET HIM TO SUBMIT IN DROPPING HIS NUMEROUS LAWSUITS AGAINST THIER CO-WORKERS. AND FOR HIM TO PASS THE MESSAGE ON TO THE PLAINTIFF. SEE EXHIBIT-A FOR ALEXANDER WILLIAMS WITNESS STATEMENT.

19. ON JANUARY 3 2023 TIME 3PM DEFENDANT CAPTAIN FLUKA FROM CIB UNIT OF NYC DOC CONDUCTED A SEARCH OF PLAINTIFF CELL AND ORDER HIM TO STRIP NAKED INFRONT OF TWO UNKNOWN CIB OFFICERS IT WAS VERY TERRIFYING FOR PLAINTIFF NOT KNOWING THE IDENTITY OF THE OFFICER CONDUCTING THE SEARCH. CAPTAIN FLUKA WAS SEEN CONVERSING WITH A WHITE MALE BELIEVED TO BE ASSISTANT COMMISSIONER OF DOC AND CAPTAIN FLUKA CAN BE HEARD TELLING THE COMMISSIONER WE WILL BREAK THEM EVEN IF WE GOT TO SEARCH THEM 3 TIMES A DAY, BUT THEY WILL DROP THIER LAWSUITS, THAT'S THE REASON WE PUT THEM IN A MEDICAL ISOLATION IN THE FIRST PLACE. CAPTAIN FLUKA WAS HEARD TELLING THE ASSISTANT COMMISSIONER UNTIL THEY DROP THIER LAWSUITS THEY WILL REMAIN IN ENHANCE RESTRAINTS AND NOBODY KNOWS THEY'RE IN THE WEST FACILITY BEING SHACKLED EVERY TIME THEY LEAVE THIER CELLS. THE CONDUCT OBSERVED BY PLAINTIFF AND MENTIONED HEREIN IT IS CLEAR THAT BOTH THESE DEFENDANTS WILLINGLY

ENGAGED IN CONDUCT THAT VIOLATED THE PLAINTIFF RIGHTS PURSUANT TO 42 U.S.C. 1985 AND 42 U.S.C. 1986 ALONG WITH 42 U.S.C. 1983 BY RETALIATION, INTIMIDATING A WITNESS OR PARTY IN A FEDERAL CASE AND FAILING TO PREVENT HARM AND VIOLATIONS OF THE PLAINTIFF RIGHTS.

20. THESE NEXT DEFENDANTS CAN ONLY BE IDENTIFIED BY NUMBERS THAT WAS PLACED ON THIER BLACK VEST, BUT PLAINTIFF LEARNED THAT THIS SRT TEAM SWITCH THIER NUMBERS SO WHEN THEY VIOLATE A PRISONER THEY WILL NEVER BE IDENTIFIED IN ANY LAWSUITS, A INTIMIDATING AND STRATEGIC TACTIC BY THIS SRT TEAM, PLAINTIFF-ASSERTS THESE ARE THE SRT TEAM NUMBERS ACCORDING TO THIER BLACK VEST ~~XXX~~THEY WEAR , SRT# 102, SRT# 120, SRT# 182, SRT# 74, SRT# 75, SRT# 78, SRT# 77, SRT# 79, SRT# 65, SRT# 80, SRT# 88, SRT# 82, SRT# 203, SRT# 111, SRT# 113, SRT#112, ESU CAPTAIN # 28, ESU OFFICER NAME UNKNOWN SHEILD# 4190, A TOTAL OF 18 OFFICERS THAT PLAINTIFF CAN IDENTIFIED WHO TOOK PART IN THE INTIMIDATION HARRASMENT, AND BRUTALITY AT THE WEST FACILTY FROM DEC/2/2022 TO JAN/16/2023 THESE OFFICER SEARCH PLAINTIFF ALMOST DAILY EVEN WHEN ITS STATES PLAINTIFF IS ONLY ABLE TO BE EHANCE RESTRAINTS WHEN LEAVING THE FACILITY. ALSO IT WAS DULY NOTED THAT PLAINTIFF WAS NEVER GIVEN AN HEARING ON THE CMC STATUS EHANCE RESTRAINTS VIOLATING THE PLAINTIFF EQUAL PROTECTION TO BE TREATED LIKE EVERY OTHER INMATE WHO COMES INTO THE DOC. THESE 18 OFFICER INSISTED ON FEEDING PLAINTIFF FOOD THAT HAS PORK IN~~X~~ IT. THESE 18 SRT OFFICERS WAS GIVEN ORDERS TO NOT SERVE PLAINTIFF WHO IS A MUSLIM INMATE HIS TRADITIONAL HALAL MEALS, AND WAS TOLD BY THESE 18 SRT OFFICERS THAT THEY HOPE THAT THE FOOD KILLS HIS SPIRIT AND MIND, BUT IF YOU DROP THE LAWSUIT WE WILL START TO GIVE YOU YOUR HALAL MEALS. THESE OFFICER VIOLATED THE RLIUPA LAWS, AND SHOULD BE HELD ACCOUNTABLE FOR THIER ACTIONS. THESE SAME 18 SRT OFFICERS TOLD PLAINTIFF HE CAN NOT USE HIS WALKING CANE INSIDE HIS CELL. PLAINTIFF INFORMED THESE 18 OFFICERS IF HE WAS NOT ALLOWED TO USE HIS WALKING CANE, HE WILL BE BEDRIDDEN FOR HIS STAY AT THE WEST FACILTY, THEN WAS TOLD THAT WE ALL DON'T CARE IF YOU EVER WALK AGAIN. ~~XXX~~ PLAINTIFF TOLD THESE OFFICERS HE WILL FILE A GREIVANCE.

THEY ALL JUST LAUGHED AT PLAINTIFF AND SAID TO PLAINTIFF REMEMBER THIER IS NO GRIEVANCE OFFICER OR GREIVANCE BOX AT THIS MEDICAL FACILITY.

(THE PLAINTIFF DEMAND THAT THE FOOTAGE FROM DATES DEC/2/22 TO JAN/16/23 BE PRESEWRVED FOR EVIDENCE REASONS AND TO ENSURE THAT THE EVIDENCE IS AVAILABLE WHEN DISCOVERY COMMENCES IN THIS ACTION).

21. ON JAN/8/2023 THE PLAINTIFF WAS ORDERED TO BE PLACED IN ENHANCE RESTRAINTS WITH MITTENS AND SHACKLES IF HE WANTED TO GO TO RECREATION. THE PLAINTIFF EXPLAINED TO SRT CAPTAIN # 1, THAT OFFICER RICHARDSON AND SECURITY CAPTAIN ROLLINSON DID NOT PUT PLAINTIFF IN ENHANCE RESTRAINTS GOING TO THE YARD AT WEST FACILITY AND WHY IS PLAINTIFF BEING SUBJECTED TO THIS CLASSIFICATION ALL OF A SUDDEN ? PLAINTIFF EXPLAIN TO SRT# 1, THAT HE DON'T WISH TO BE RECORDED NAKED INSIDE HIS CELL BEFORE BEING TAKEN TO RECREATION. SRT# 1 SAID TO PLAINTIFF THERE'S A NEW SHERRIF IN TOWN AND HE WANTS THOSE LAWSUITS DROPPED AND UNITL THAT'S DONE YOU WILL ALWAYS BE IN ENHANCE RESTRAINTS NO MATTER WHAT RIKER'S ISLAND FACILITY YOU GO TOO.

22. ONCE OUTSIDE TO RECREATION YARD DEFENDANT SRT# 80 HE INFORMED PLAINTIFF THAT HE USED TO BE AN OFFICER ASSIGNED TO CMC CLASSIFICATION AND WAS AWARE THAT THE PLAINTIFF STATUS WAS ONLY COURT ORDER AND NOT CMC BUT HE WAS GIVEN SPECIFIC INSTRUCTION FROM THE SECURITY TEAM FROM (GRVC JAIL) THIS STATEMENT INFORMED THE PLAINTIFF THAT AT MINIMUM DEFENDANT SRT# 80, WAS AWARE THAT HE WAS ENGAGING IN CONDUCT THAT VIOLATED THE PLAINTIFF RIGHTS BUT FELT OBLIGATED TO DO SO OUT OF CONCERN OF NOT FOLLOWING HIS CO-WORKERS ORDERS.

23. EXHIBIT-C LISTED/SHOWN HEREIN IS A COPY OF DOC POLICIES ON ENHANCED RESTRAINTS AND PG 2 LIST THE CRITERA FOR AN DOC INMATE TO MEET BEFORE BEING SUBJECTED TO BEING CLASSIFIED BY DOC AS BEING ENHANCED RESTRAINTS :

- A.- INMATE ASSAULTS OR ATTACKS ON STAFF OR ANOTHER INMATE.
- B.- INMATE CAUSES SUBSTANTIAL PROPERTY DAMAGE OR PLACE PERSON IN HARM
- C.- INMATE ATTEMPTS TO ASSAULT OR ATTACK STAFF OR ANOTHER INMATE.

IN ADDITION, ANY INMATE FOUND IN POSSESION OF A SCALPEL, HOBBY KNIFE, RAZOR

BLADE, OR OTHER DANGEROUS INSTRUMENTS AS DEFINED DURING HIS OR HER PRESENT OR PRIOR INCACERATION WITHIN THE LAST FIVE YEARS MAY BE PLACED IN ENHANCED RESTRAINT STATUS. THE PLAINTIFF HAS BEEN LOCKED UP SINCE MARCH/1/2019 AND HAS NEVER BEEN FOUND GUILTY OF ANY MISBEHAVIOR REPORT THAT REACHES THE LEVEL LISTED IN EXHIBIT-C ON THIS INCACERATION OR ANY OTHER IN THE PAST 5 YRS.

24. THIS SUPPORTS THAT THE PLAINTIFF DUE PROCESS RIGHTS WERE INDEED VIOLATED AND THAT DEFENDANTS KNEW THAT THE PLAINTIFF WAS NOT ENHANCE RESTRAINTS BY THE WAY OF THE PEDIGREE CHART POSTED ON HIS CELL DOOR IN WEST FACILITY. WHICH EACH DEFENDANT SEES AND RECORDS THROUGH BODYCAM FOOTAGE EACH TIME BEFORE PLAINTIFF IS PLACED IN AND ENHANCED RESTRAINTS SET-UP. THIS PEDIGREE POSTER CLEARLY STATES THAT THE PLAINTIFF IS NOT "RED-I.D/ENHANCE RESTRAINT OR ESCAPE RISK".

25. FURTHERMORE EXHIBIT-C PG 7 § 2 LAYS OUT THE DUE PROCESS RIGHTS OF EACH PRETRIAL DETAINEE WHEN IT COMES TO BEING PLACED IN ENHANCED RESTRAINTS WITH STATING THAT THE PLAINTIFF/INMATE MUST BE GIVEN NOTICE OF SUCH WITHIN THE FIRST 72 HOURS AND A DEPARTMENTAL HEARING SHALL FOLLOW. THE PLAINTIFF WAS NEVER AFFORDED EITHER OF THE TWO.

26. ON JAN/9/2023 THE PLAINTIFF WAS SUBJECTED TO BEING WATCHED WHILE SHOWERING AT 8AM BY SRT TEAM WHO KEPT COMING BY EVERY FIVE MINUTES TO MAKE SURE THEY CAN LOOK THROUGH THE BIG GLASS WINDOWS INTO MY SHOWER AND DARE ME TO SPEAK UP ABOUT IT. WHICH THE PLAINTIFF ATTEST IS A VIOLATION OF THE EQUAL PROTECTION CLAUSE OF THE FEDERAL CONSTITUTIONAL, EVERY OTHER INMATES DON'T ON RIKERS ISLAND HAVE BIG GLASS WINDOWS AND SHOWER INSIDE THE CELL SO THEY COULD GET WATCH BY ANYONE WHO PASSES BY, NO PRIVACY.

23. ADW HENRY AND SECURITY OFFICER MCNIEL TOLD ME IN THE MONTHS OF DECEMBER 2.2022 TO PACK MY BELONGINS AND THEY GOING TO MAKE SURE THAT I DON'T GET NO FRSH AIR BECAUSE THEY KNOW I'M A CHRONIC ASTHMATIC SO THEY GOING TO DO ME A FAVOR AND SEND ME TO WEST FACILITY TO A CELL WITH NO WINDOWS IN IT. SO I MUST STAY IN A CELL WITH NO WINDOWS FOR 23/HOURS EVERYDAY, I TOLD THEM PLZ DON'T SEND ME TO A CELL WITH NO WINDOWS, I SHALL SURELY DIE.

AND I TOLD THEM I WILL DROP MY LAWSUIT BUT WHAT EVER YOU DO DON'T SEND ME TO A CELL THAT DON'T HAVE WINDOWS, I NEED FRESH AIR FOR MY ASTHMA. MCNEIL TOLD PLAINTIFF HIM AND ADW HENRY WILL SEND YOU OVER THERE TO TEACH YOU A LESSON AND YOU SHALL RETURN TO GRVC WITH A NEW ATTITUDE AND YOUR LAWSUIT DISMISSED. PLAINTIFF STARTED CRYING BECAUSE HE THOUGHT HE WILL SURELY MEET HIS DOOM.

24. ON JAN/9/2023 THE PLAINTIFF WAS INFORMED BY SRT# 75 THAT HE WAS GETTING NO REC, NO LAWLIBRARY, NO SICK-CALL, AND NO MAIL NO VISITS AS LONG AS I GOT LAWSUITS ON PENDING CORRECTION OFFICERS , WHICH VIOLATES THE PLAINTIFF RIGHTS PURSUANT TO 42 U.S.C. & 1985(2)(3), WHERE IT WAS OBVIOUS THAT THE DENIAL OF BASIC RIGHTS AND NEEDS WAS BEING IMPLEMENTED AGAINST THE PLAINTIFF AS A FORM OF RETALIATION, AND INTIMIDATION OF A PARTY/WITNESS IN AN ONGOING FEDERAL CIVIL CASE, AS WELL AS VIOLATION OF THE PLAINTIFF RIGHTS PURSUANT TO 42 U.S.C. 1986.

25. ESU SHEILD# 4190 ON JAN/10/2023 AND CAPTAIN RIVERA WAS LAUGHING AT PLAINTIFF BECAUSE HE CALLED FOR AN MEDICAL EMERGENCY DUE TO PLAINTIFF BEING AN ASTHMATIC AND NO WINDOWS TO GET FRESH AIR IN HIS CELL. ESU # 4190 CAN BE HEARD THOMPSON IN CELL 614 IS GOING TO TELL ALL OTHER INMATES HE COMES IN CONTACT WITH THEY BET FUCK WITH THE ESU TEAM, AND HE LAUGHED SOME MORE.

26. ON JAN/10/2023 AT 11AM DEFENDANT CAPTAIN MATHIS AND DEFENDANT SRT#75 WAS PRESENT AND PLACING PLAINTIFF IN ENHANCED RESTRAINTS SET-UP TO GO TO THE YARD. IT IS IMPORTANT TO NOTE THAT CAPTAIN MATHIS WAS A SECURITY CAPTAIN AT MDC WHEN PLAINTIFF WAS ON THIS STATUS IN 2019 AND HAS DIRECT KNOWLEDGE THAT THE PLAINTIFF IS NOT ENHANCE RESTRAINTS CLASSIFICATION.

27. ON JAN/10/2023 PLAINTIFF WAS TOLD BY CAPTAIN MATHIS HE COULD NOT SEND OR RECIEVE ANY OUTGOING OR INCOMING MAIL TO ANY LAWYER. AND CAPTAIN MATHIS TOLD PLAINTIFF THAT HE WILL NEVER EVER GET TO SEE HIS DISCOVERY USB THE COURTS SENT HIM FOR HIS CRIMINAL MATTERS, PLAINTIFF BEGGED CAPTAIN MATHIS PLEASE HE WILL DROPP THE LAWSUITS , JUST ALLOW HIM TO SEE THE USB DISCOVERY SO HE CAN WIN HIS CRIMINAL TRIAL, ~~NEXTORX~~ PLAINTIFF TOLD CAPTAIN

MATHIS THGAT HE IS PRO-SE IN HIS CRIMINAL CASE AND THAT HE HAS TRIAL VERY SOON AND HE REALLY NEEDS TO STUDY THE CONTENTS ON HIS USB DISCOVERY, AND IF HE DON'T HE MIGHT NOT BE ABLE TO WIN HIS CASE AT TRIAL. CAPTAIN MATHIS SAID TO PLAINTIFF TOO BAD THAT'S EXACTLY WHY ADW HENRY AND C.O. MCNIEL SENT YOU TO THE WEST FACILITY BECAUSE THEY KNEW PLAINTIFF WON'T BE ABLE TO ACCESS THE USB TABLET FOR YOUR DISCOVERY, AND THEY WANTED TO MAKE SURE YOU SPEND THE REST OF YOUR LIFE IN PRISON, BECAUSE YOUR SUING THEM.

28. ON JAN/12/2023 AT 9PM DEFENDANT CAPTAIN LOPEZ SHIELD#462 INFORMED THE PLAINTIFF THAT HE WAS NOT ALLOWED TO SEND OUT MAIL OR RECIEVE MAIL OR SEND OUT ANY GRIEVANCES AND HE WAS GIVEN THESE ORDERS BY DW MILLER. I TOLD LOPEZ SHEILD#462 THAT ITS CRUICIAL I SEND OUT MAIL BECAUSE I AM PRO-SE IN MY CRIMINAL CASE AND I DON'T WANT TO BE PRO-SE NO MORE AND PLAINTIFF NEEDS TO SEND OUT MAIL TO ATTORNEY'S SO HE CAN HIRE AN ATTORNEY FOR HIS CRIMINAL TRIAL. CAPTAIN LOPEZ TOLD PLAINTIFF HE HAS ORDERS, THEN HE SAID CALL YOUR ATTORNEY'S, ~~XXXXXX~~ PLAINTIFF TOLD LOPEZ THAT HE IS RESTRICTED BY A COURT ORDER NOT ALLOWING HIM TO CALL ATTORNEY'S IN MHIS CRIMINAL CASE. CAPTAIN LOPEZ RE~~S~~PONDED TOO BAD FOR YOU, YOUR LUCK!!!

29.(IT IS VERY IMPORTANT TO NOTE THAT PLAINTIFF HAS BEEN WALKING WITH THE HELP OF A WALKING CANE. AS SEEN ON GENTECT FROM JULY OF 2022 TIL PRESENT DAY. PLAINTIFF HAS A WALKING DISABILITY. WHEN ENHANCE RESTRAINTS ARE APPLIED TO PLAINTIFF WHILE USING HIS CANE TO WALK KEEPS HIM INJURED AND NEVER RECOVERING FROM WHAT AILS HIM.)

30. ON JAN/12/2023 DEFENDANTS SRT# 82 CUFF PLAINTIFF TO WALK 10 STEPS TO LAWLIBRARY CELL #610 FROM PLAINTIFF CELL WHICH IS #614, PLAINTIFF INFORMED SRT# 82 TO NOT BE CUFF HE IS NOT ENHANCE RESTRAINTS, AND SRT RESPONDED THAT IT WAS HIS PLEASURE TO KEEP PLAINTIFF IN ENHANCE RESTRAINTS. AND HE WISHES PLAINTIFF TO BE IN EXTREME PAIN AND AS UNCOMFORTABLE AS POSSIBLE. THIS WAS DONE NOT IN ACCORDANCE WITH THE MEDICAL DOCTORS WHO ISSUED THE CANE TO PLAINTIFF

31. SRT TEAM LISTEN AND WATCHED EVERYTIME PLAINTIFF WENT TO HIS MEDICAL APPOINTMENTS

PLAINTIFF HAD NO PRIVACY WHEN IT CAME TO HIM VISITING THE MEDICAL STAFF. WHEN PLAINTIFF ASKED WHY WAS HE BEING SO CLOSELY MONITORED WHEN SEEING THE DOCTORS AND NURSE ? SRT TEAM RESPONDED YOU WILL GET NO PRIVACY EVER LONG AS YOU ARE HERE AT WEST FACILITY, EVERY LAST SRT NUMBERS PLAINTIFF SUPPLIED IN THIS CLAIM IS GUILTY OF THIS MEDICAL INTRUSION AND EVASION OF PRIVACY WHEN SPEAKING AND GETTING EXAMINE BY MEDICAL STAFF. (NOTE PLEASE PRESERVE ALL VIDEO FOOTAGE INCLUDING BODY CAM FOOTAGE OF EVERY MEDICAL EXAMINATION OF PLAINTIFF HOUSE IN A MEDICAL UNIT AT WEST FACILITY, A FACILITY NOT FOR COURT-ORDER LOCKDOWN INMATES BUT A FACILITY WHO SOLE PURPOSE ID TO BREAK AND DESTROY THE MINDS OF INMATES WHO GO AGAINST DOC STAFF POLICIES AND CUSTOMS WHICH IS IN DIRECT VIOLATION OF DETAINEE'S CONSTITUTIONAL RIGHTS.

31. ON JAN/13/2023 MENTAL HEALTH STAFF CAME TO SPEAK WITH PLAINTIFF THROUGH A CELL DOOR WHILE THE SRT TEAM STANDING RIGHT NEXT TO MENTAL HEALTH STAFF, TO HEAR EVERY WORD I WAS TELLING THE MENTAL HEALTH DOCTORS, THE SRT DEFENDANTS WHO NAMES ARE UNKNOWN,(PLAINTIFF UNDERSTOOD THIS TO BE AN VIOLATION OF HIS AMERICAN DISABILITIES ACT RIGHTS AND A FORM OF RETALIATION PREVENTING HIM FROM INFORMING OF WHAT IS TAKING PLACE TO WHAT IS HAPPENING TO HIM INSIDE THE WEST FACILITY.

32. ON JAN/14/2023 AT 11AM PLAINTIFF WAS BEING CUFFED GOING TO THE LAW LIBRARY CELL AND WAS INFORMED THAT BEING CUFF TO GO TO ANOTHER CELL INSIDE THE UNIT WAS NOT POLICY AND IF THAT WAS TAKING PLACE THEN THOSE SRT MEMBERS HAD THIER OWN AGENDA FOR DOING SUCH. THIS ALLOWED THE PLAINTIFF TO REACH THE CONCLUSION THAT BEING CUFF TO SEE MEDICAL AND TO GO TO THE LAW LIBRARY WAS BEING DONE AS A FORM OF RETALIATION AND A DTERRENT FROM FILING FUTURE LITIGATION AGAINST DOC. (THE PLAINTIFF DEMANDS THE CELL FOOTAGE AND BODYCAMS FROM DEC/2/2022 TO JAN/16/2023 BE PRESERVED FOR EVIDENTRY REASONS)

33. ON JAN/15/2023 INVESTIGATORS FROM NYC CORRECTION INVESTIGATION DIVISION CAME TO SPEAK WITH PLAINTIFF IN CELL 614 AND PLAINTIFF WAS RECORDED VIA BODYCAM BY THESE 4 INVESTIGAORS, AND DISCLOSED THE HAZARDS AND INTIMIDATION

IN REGARDS OF WHY COURT ORDER LOCK DOWN INMATES WAS PLACED INSIDE A COMMUNICABLE DEISEASE UNIT TO BE TORMENTED UNTIL EACH INMATE DROPS THIER LAWSUITS, PLAINTIFF SHOWED THESE INVESTIGATORS THE BURNT UP CELL DOOR AND WALLS INSIDE THE CELL FOR AND ASTHMATIC LIKE PLAINTIFF TO HARDLY BREATHE ININ. THESE INVESTIGATORS ALSO WITNESS THAT THE CELL HAD NO WINDOWS TO GET FRESH AIR FOR AN CHRONIC ASTHMATIC, ALSO THEY RECORDED THE BIG GLASS WINDOWS SO THAT ANY STAFF WALKS PASS CELL AND SEE PLAINTIFF FULLY NAKED IN THE SHOWERS AND WOULD SURELY BE PENALIZED IF PLAINTIFF ATTEMPTED TO MAKE A MAKE SHIFT CURTAIN OUT OF BED SHEETS.

COMPLAINTS IN REGARDS TO VIOLATIONS THAT
OCCURRED AT GRVC FROM JAN/16/2023 TIL PRESENT

34. ON JAN/16/2023 THE PLAINTIFF WAS TRANSFERRED BACK TO GRVC FACILITY SO ADW HENRY AND SECURITY MCNIEL CAN FINISH THE JOB AFTER CAPTAIN ROLLINSON FROM WEST FACILITY GOT SUSPENDED FOR BRINGING IN CELL PHONES AND DRUGS TO INMATE DAVID MARREO. PLAINTIFF WAS THEN HOUSED IN A NEWLY FRESHLY PAINTED CELL IN HOUSING UNIT 1/A WITHOUT HIS CARRY MEDICATION AND ASTHMA PUMP.

35. PLAINTIFF SUFFERED A ASTHMA ATTACK THAT NEARLY COST HIM HIS LIFE, ALL BECAUSE THEY WILL NOT GIVE PLAINTIFF HIS PROPERY WHEN HE WAS HOUSED IN HOUSING UNKT 1/A, AND IN HIS PROPERTY BAG THAT WHERE ALL THE MEDICATION WAS STORED THAT PLAINTIFF TAKES FOR ALOT OF DEADLY HEALTH THREATS SUCH AS PRIAPISM. AND PYSCH MEDS FOR HIS SANITY. ON JAN/17/20223 COMMISSIONER GRIFFEN WALKED HOUSING UNIT 1/A SAID HE WILL BREAK US TO DROP OUR LITIGATION, DO NOT GIVE THE MUSLIMS HALAL FOOD I DON'T CARE HOW MUCH THEY GRIEVED. WHEN I RECIEVED MY PROPERTY PLAINTIFF STATES HIS QURAN WAS MISSING, AND WAS TOLD BY ADW HENRY LOOK AT THE COMMAND LEVEL ORDERS FOR ALL FACILKTIES AND IT STATES YOU CAN ONLY HAVE A BIBLE. I HATE YOUR DIRTY RELIGON. OFFICER MARDEN WAS ORDERED BY ASSISTANT COMMISSIONER GROIFFEN TO NOT SERVE HALAL FOOD TO THESE MUSLIM DETAINEE'S. ON THIS DATE PLAINTIFF COULD NOT READ FROM HIS QURAN BECAUSE IT WASC ONFISCATED WHEN PLAINTIFF ENTERED THIS FACILITY.HE WAS NOT GIVIEN A PROPERTY RECIEPT NOR GIVEN ANY REASON WHY HE COULD NOT POSSED A QURAN.

36. PLAINTIFF WAS NEVER GIVEN A REASON WHY HIS PROPERTY WAS SEARCHED OUTSIDE HIS PRESENCE. ON JAN/18/2023 PLAINTIFF WAS FED A COLD TRAY BY C.O.MARDEN AND IT WAS NOT HALAL. OFFICER MARDEN LOGGED IN THE LOG BOOK THAT PLAINTIFF NEEDS AN MEDICAL EMERGENCY BECAUSE HE'S HAVING AN ASTHMA ATTACK BECAUSE THEY NEVER LET HIM GET HIS PROPERTRY WHEN HE STEP INSIDE HIS CELL IN HOUSING UNIT 1/A A VIOLATION OF HIS CONSTITUTIONAL RIGHTS TO BE FREE OF XCRUEL AND UNUSUAL PUNISHMENT.

37. WHEN INMATE PLAINTIFF WAS ESCORTED TO BARBERSHOP HE WAS ENHANCED RESTRAINT AND TOLD THE CAPTAIN HE WAS NOT THIS STATUS, BUT SAID TO PLAINTIFF HE WAS GIVEN STRICT ORDERS TO PUNISH ME AND SAID WELCOME BACK TO GRVC.

38. ON JAN/16/23 PLAINTIFF WAS NOT AFFORDED HIS ONE HOUR RECREATION AND THE COURTS HAVE LONG RECOGNIZED THAT A DETAINEE HAS A RIGHT TO RECREATION WHERE THEY CAN EXERCISE AND RECIEVE FRESH AIR, PLAINTIFF ASSERTS THE FIRST 6 DAYS OF RETURNING BACK TO THE GRVC DEATH TRAP HE DID NOT RECIEVE HIS ONE HOUR RECREATION. CAUSING INREPPARABLE HARM TO PLAINTIFF HEALTH ON ALL GROUNDS PHYSICALLY AND MENTALLY, PLAINTIFF WILL NEVER BE THE SAME IF HE MAKES IT THROUGH THIS RIKER'S ISLAND ORDEAL. SEE McCRAV V. LEE 963 F.3D 110, 117 (2D CIR.2020) QUOTING ADERSON V. COUGHLIN, 757 F.2D 33. 34-35/ WITH THE PLAINTIFF BEING UNLAWFULLY SUBJECTED TO 23/HOUR LOCKDOWN AFTER THE PASSING OF THE HUMANE ALTERNATIVE TO LONG-TERM SOLITARY CONFINEMENT ACT, CALLED "HALT ACT" THE (1) HOUR A DAY FOR RECREATION IS THE ONLY WAY THE PLAINTIFF GETS FOR FRESH AIR AND SUNLIGHT. AND SHOULD NOT BE DEPRIVED OF THIS PRIVELAGE NO MATTER THE CIRCUMSTANCE.

39. THE PLAINTIFF DOES WANT TO STATE A EQUAL PROTECTION RIGHTS VIOLATION WHEREAS AS WHEN IN THE WEST FACILTY FROM DEC/2/2022 TO JAN/16/23 THE PLAINTIFF AND ALL COURT-ORDER LOCKDOWN INMATES HAD A TV IN THIER CELLS AND NOW THE PLAINTIFF IS BACK IN GRVC HE IS SUBJECTED TO NO TV,WHILE OTHER COURT-ORDER INMATES WHO RESIDES AT WEST FACILITY STILL HAVE TV IN THIER CELLS.

40. ON JAN/18/2023 THE PLAINTIFF WAS PLACED IN ENHANCE RESTRAINTS SET-UP BY C.O.MARDEN, HE SAID THAT HE WAS DOING WHAT HE WAS TOLD BY DEFENDANT SECURITY OFFICER MCNEIL, WHO IS SECURITY STAFF AT THE GRVC FACILITY. IT IS IMPORTANT TO NOTE SECURITY MCNIEL KNOWS PLAINTIFF IS NOT ENHANCE RESTRAINTS, BUT PURPOSELY MISLED C.O.MARDEN AS A FORM OF RETALIATION AGAINST THE PLAINTIFF. OUT OF THE FACT THAT HE IS NAMED IN NUMEROUS LAWSUITS CONCERNING LOCKDOWN INMATES, THESE CASES ARE AS FOLLOWS JOHMANNI ANDUZE V. CITY ET AL, 2022 U.S. DIST LEXIS 140929 AND FLORES V. CITY ET AL, 2022 U.S. DIST LEXIS 140941 AND THAT HE WAS FOUND TO HAD ACTED IN RETALITORY IN EACH CASE.

41.. ON JAN/27/23 PLAINTIFF WAS TOLD HE COULD NOT GO BACK TO HIS CELL AND USE THE~~X~~ BATHROOM AND WAS GIVEN A PLASTIC GARBAGE BAG TO PISS AND SHIT IN WHILE USING THE LAW LIBRARY CELL# 1. AS YOU CAN SEE BAG FULL OF PISS WHEN LEAVING CELL# 1 PLEASE PLAINTIFF DEMANDS FOOTAGE BE PRESERVED FROM THIS DAY.

42. CAPTAIN CARTER WHO PLAINTIFF HAVE A PENDING LITIGATION TOLD PLAINTIFF ON JAN/27/23 WHILE BEING ESCORTED TO MAIN CLINIC INSIDE GRVC THAT SHE'S GOING TO MAKE SURE YOUR SCHEDULE CHANGE FOR YOU DOT MEDICATION, I KNOW YOUR SUPPOSE TO GET YOUR MEDICATION AT 6AM LIKE IN THE WEST FACILITY BUT SAINCE YOU WAS AN ASSHOLE AND STILLS SUING ME, I WILL TELL THE NURSES TO MAKE SURE YOU NEVER ~~RECEIVE~~ RECIEVE YOUR MEDICATION AGAIN AT 6AM, MOTHERFUCKER YOUR IN MY HOUSE, NOW GET BACK TO SUFFERING, AND I HOPE YOUR BLOOD PRESSURE FLY OFF THE CHARTS.

43.. ON JAN/22/23 THE PLAINTIFF ASK HOUSING UNIT OFFICER DEJESUS SHIELD#6035, IF HE COULD GET HIS ONE HOUR RECREATION AND WAS TOLD THAT PLAINTIFF IS ON PERMANANT RECREATION RESTRICTIONS, AND THAT HE WILL NOT RECIEVE REC BUT THE REST OF THE JAIL WOULD. AFTER HEARING THE PLAINTIFF OUT C.O. LOPEZ WENT INTO THE UNIT BUBBLE STATION TO LOOK FOR ANY DOCUMENTATION SUPPORTING THE PLAINTIFF RESTRICTIONS AND RETURNED TO INFORM THE PLAINTIFF COMMISSIONER MOLINA HAS MADE ALL COURT ORDER LOCKDOWN INMATES NO OUTSIDE RECREATION. PLAINTIFF IMMEDIATLY WANTED TO COMMIT SUICIDE.. THIS IS THE 3RD TIME PLAINTIFF WAS INFORMED THAT HE HAS NO RECREATION PRIVELAGES DUE TO HIS MANY LAWSUITS AGAINST DOC STAFF.

44. ON HOUSING UNIT 1/A CAPTAIN GUAN WHO IS A DEFENDANT IN PLAINTIFF PENDING LAWSUIT ESCORTED PLAINTIFF TO THE MINI CLINIC AND PLACED PLAINTIFF IN ENHANCE RESTRAINTS SET-UP WHILE HE WALK THE HALLS OF GRVC, AND PLAINTIFF PLEASE AND BEG CAPTAIN GUAN TO NOT PUT THESE TYPES OF DEVICES ON HIM BECAUSE HE IS NOT THAT STATUS, CAPTAIN GUAN SAID TO PLAINTIFF WELCOME BACK TO GRVC AND I DON'T CARE IF YOU SUE ME AND I'M JUST DOING MY ORDERS THAT WAS GIVEN TO ME, WHEN PLAINTIFF ASK CAPTAIN GUAN WHO GAVE HIM THESE ORDERS CAPTAIN GUAN STATED ADW HENRY AND SECURITY MCNIEL TOLD HIM.

45. VIOLATIONS UNDER 42 USCS & 2000DD
42
USCS 2000dd ENSURES THAT NO INDIVIDUAL IN THE CUSTODY OR UNDER PHYSICAL CONTROL OF THE UNITED STATES GOVERNMENT, REGARDLESS OF NATIONALITY OR PHYSICAL LOCATION SHALL BE SUBJECTED TO CRUEL AND UNUSUAL PUNISHMENT. THE PLAINTIFF EXPLAINS AND LIST FOOTAGE AS SUPPORTING EVIDENCE THAT WHILE IN THE MEDICAL UNIT AT WEST FACILITY HE WAS NOT ALLOWED CONTACT VISITS WITH HIS SON FOR NO REASONS AT ALL BECAUSE HE HAS PENDING LAWSUITS, HE ALSO SHOWED THROUGH VIDEO FOOTAGE HIS CELL WAS BURNT UP AND HE IS AN ASTHMATIC AND THEY NEVER PAINTED THIS BLACK BURNT UP CELL WALLS AND DOOR. AS WELL AS BEING IN C.D.U WHERE NBIG GLASS WINDOWS ARE VISIBLE TO PLAINTIFF SHOWER WHERE ANYONE CAN SEE HIM SHOWER NAKED, AND PENALIZED IF HE EVER TRIED TO MAKE A SHOWER CURTAIN. AS WELL AS HIM BEING BED RIDDEN AND COULD NOT WALK AROUND HIS CELL BECAUSE THEY TOOK HIS CANE EVERYTIME HE STEP IN HIS CELL. AND WATCHED WHILE BEING EXAMINE NBY DOCTORS AND NURSE AND MENTAL HEALTH STAFF. VIOLATION OF HIPPA RIGHTS.

VIOLATION OF PLAINTIFF RIGHTS PURSUANT TO THE AMERICANS DISABILITIES ACT TITLE II 42 U.S.C. & 12131 ETSEQ

THE PLAINTIFF HAS BEEN INCACERATED AT THE NEW YORK CITY DEPARTMENT OF CORRECTIONS FOR OVER 3YRS NOW. SINCE BEING INCACERATED THE PLAINTIFF HAS BEEN DIANOSED WITH THE FOLLOWING DISABILITIES, HEARING, VISION, MENTAL, AND USES A CANE FOR WALKING FOR ALMOST A FULL YEAR, AND HAVE BEEN PRESCRIBED MEDICATIONS TO ADDRESS THESE MEDICAL AND MENTAL HEALTH ISSUES.

THE PLAINTIFF IS ALSO REGULARLY

SEEN BY MENTAL HEALTH DOCTORS AND CLINICIANS FOR COUNSELING IN ADDRESSING AND HEALING THE MENTAL HEALTH ISSUES HE HAS. THE PLAINTIFF ALSO HAS A HISTORY OF PODIATRY ISSUES THAT LEADS HIM DISABLED AND WALKS WITHH ACANE. AND IS A KNOWN ASTHMATIC. DETAINEE.

THE PLAINTIFF DESCRIBES THE CONDITIONS HE WAS FORCED TO LIVE UNDER (1) NOT BEING ABLE TO USE CANE SO HE DON'T HAVE TO BE BEDRIDDEN IN HIS CELL, HIS CANE WAS ALWAYS TAKEN AWAY FROM HIM WHEN HE STEP INSIDE HIS CELL WHICH HE HAD TO BE IN THAT CELL 23/HOURS OUT THE DAY. LEAVING HIM BEDRIDDEN. (2) NOT BEING ABLE TO ACCESS SICK-CALL AND IF PLAINTIFF WAS BY CHANCE PLACED ON THE SICK-CALL LIST THE PLAINTIFF WAS NEVER ESCORTED BY DOC OF OFFICERS BECAUSE OF HIS PENDING LAWSUITS. AND WHILE IN WEST FACILITY FROM DEC/2/2022 TO JAN/6/2023 PLAINTIFF PRIVACY RIGHTS WAS VIOLATED BY THE SRT TEAM AND PLAINTIFF WAS RECORDED BEING EXAMINE BY DOCTORS SEE; GENTECT AND BODYCAM FOOTAGE FOR THAT TIME PERIOD. (3) WHEN MENTAL HEALTH STAFF CAME TO VISIT THEY HAD TO ~~TALK~~ TALK THROUGH CELL DOORS SO ALL OTHER INMATES AND OFFICER CAN HEAR THE COMPLETE CONVERSATION, VIOLATION OF HIPPA LAWS AND PRIVACY LAWS WHICH LEFT PLAINTIFF EMBARRASSED AND FUSTRATED. YOU ARE SERIOUSLY SUGGESTED TO LOOK AT PLAINTIFF MISSED MEDICAL APPOINTMENTS AND NO OTHER IN OR ON RIKER'S HAVE MORE MISSED MEDICAL APPOINTMENTS THAN THE PLAINTIFF ALL BECAUSE HE CHOSD TO FILE LAWSUITS AGAINST THE DEPARTMENT OF CORRECTIONS. EXHIBIT-D HEREIN BEING THE PLAINTIFF CANE PERMIT SUPPORTS THAT THE PLAINTIFF LEGALLY POSSESSED A CANE, TO ASSIST WITH HIS WALKING DISABILITY. THE DEFENDANTS LOUIS MOLINA, ADW HENRY, GRIFFEN, CITY, MAINTAIN A CUSTOM, PRACTICE, POLICY, PROCEDURE OR RULE WHERE THE PLAINTIFF CANE WAS SEIZED LEAVING HIM TO HOP AROUND HIS CELL AND HOUSING UNIT AREA WITHOUT REASON OR NOTICE OR "HEARING" WHERE HE COULD PRESENT EVIDENCE AS TO THE FACT THAT HE HAS A DISABILITY RIGHT TO POSSES A WALKING CANE AT ALL TIMES. AND PLAINTIFF WAS SUBJECTED TO ~~HOP~~ HOP AROUND CELL AND TO THE SHOWERS AND BEDRIDDEN DAILY BECAUSE CANE WAS TAKEN WITHOUT NO REASON AT ALL. THE PLAINTIFF FELL A FEW TIMES IN HIS CELL SUFFERING HEAD TRAUMA.

THE PLAINTIFF WAS NOT MEDICALLY ACCOMIDATED BY DEFENDANTS NAMED HEREIN THIS COMPLAINT SPECIFICALLY "CITY" AND LOUIS MOLINA COMMISSIONER, WHO SEEM TO BE AWARE OF SUCH BUT DISREGARDING PLAINTIFF MEDICAL NEEDS IN MEDICAL ACCOMIDATIONS AND MOVING HIM TO SUITABLE HOUSING, THAT SUITS HIS NEEDS.

PRELIMINARY INJUNCTIVE RELIEF :

AS SEEN HEREIN AS EXHIBIT-C THE POLICIES THAT SURROUND/GOVERN NYC DOC RED I.D/ENHANCED RESTRAINTS CLASSIFICATION AND USAGE THE PLAINTIFF DEMAND INJUNCTIVE RELIEF IN THE FORM OF A MEMORANDUM AND A PEDIGREE AS WELL AS BEING PLACED ON HIS FLOOR CARD THAT HE IS NOT A ENHANCED RESTRAINT CLASSIFIED INMATE.

THE DEFENDANTS CAN ONLY ADMIT THAT THE PLAINTIFF WAS NEVER GIVEN AN HEARING WHICH IS "NEEDED" BY THIER OWN POLICIES AND WHICH IS REQUIRED BY LAW , ESPECIALLY SINCE PLAINTIFF CLEARLY INDICATES THAT THE ENHANCE RESTRAINTS WAS USED AGAINST HIM IN A PUNITIVE FASHION.

THERE IS NO EVIDENCE THAT THE PLAINTIFF KWAIN THOMPSON b&c# 349-19-01450, HAS EVER BEEN FOUND GUILTY OF ANY ASSAULTIVE BEHAVIOR, POSSESSION OF ANY FORM OF WEAPON, CELL-PHONE, KNIFE, SCALPEL, ECT, IN THE LAST 5 YEARS UNDER THIS BOOK AND CASE NUMBER WHICH ~~XXXXX~~ VOIDS THE DEFENDANTS OF SUCH CLAIMS AS AN AFFIRMATIVE DEFENSE.

DUE PROCESS PROCEDURAL AND SUBSTANTIAL IS THE CORNER STONE OF THE 14TH ADMENDMENT AND IS KNOWN THROUGHOUT THE COURT SYSTEM TO BE CALL IN THE EVENTS OF VIOLATIONS INVOLVING PRE-TRIAL INMATES AS WELL AS CONVICTED INMATES. EXAMPLE OF SUCH IS THE MATTER OF DAVID WILLIAMS V. NEW YORK CITY DEPT OF CORRECTIONS 2005 U.S. DIST LEXIS 8393 (S.D.N.Y. MAY. 2ND 2005), WHERE THE COURT IN THIS CIRCUIT RULED SUMMARY JUDGEMENT IN FAVOR OF PRE-TRIAL DETAINEES SUCH AS THE PLAINTIFF IN THIS CASE "KWAIN THOMPSON" IS WHERE DOC FAILED TO PROVIDE A TIMELY HEARING AND MEDICAL REVIEW FOR ENHANCED RESTRAINTS RED I.D STATUS.

OTHER PRECEDENT CASE LAW SUCH AS WOLFF V. McDOWELL 418 U.S. 539 SET THE PRECEDENT AS IN REGARDS TO THE NEED FOR DUE PROCESS, NOTIFICATION AND HEARING

BEFORE SUBJECTING EVEN AN CONVICTED PRISONER TO SANCTIONS AND DEPRIVATION NOT SUBJECTED TO THE AVERAGE PRISONER WITHIN A FACILITY.

OTHER PRELIMINARY INJUNCTIVE RELIEF THAT THE PLAINTIFF SOUGHT/SEEK IS AS FOLLOWS: PLAINTIFF DEMANDS TO BE PRODUCED TO EVERY MEDICAL APPOINTMENT THAT HE IS CALLED FOR. THE PLAINTIFF SUFFERS FROM NUMEROUS AILMENTS AND MEDICAL RECORDS SHOWS DISHEARTENINGLY THAT PLAINTIFF IS NEVER PRODUCED TO THESE APPOINTMENTS

IN MORE RECENT CASES LAW SUCH AS THE MATTER OF AGNEW V. NYC DEPT. OF CORRECTIONS 2021 N.Y. MISC LEXIS 6134, THE DEPARTMENT OF CORRECTION WAS PLACED IN CONTEMPT WHEN NOT ABIDING BY THE ORDERS OF BRONX JUSTICE HON. ELIZABETH A. TAYLOR. IN THE PLAINTIFF CASE IT SEEMS AS THE PLAINTIFF MADE CLEAR THAT HIS DENIAL OF MEDICAL CARE IS TIED DIRECTLY TO BEING RETALIATORY DUE TO GRIEVANCES AND ONGOING CIVIL SUITS NAMING HIGHER UPPEMS DOC ~~XXXXXXXXXX~~ OFFICIALS SUCH AS LOUIS MOLINA AND GRIFFEN. SUCH AS WILLIAMS V. CITY OF NEW YORK IT AL., 22-CV-3819(PGG)(KHP)

IN THE YEAR 2022 OVER 20 INMATES HAS DIED ON RIKER'S ISLAND AND DOC OFFICIAL TIED MOST OF THE DEATHS TO ONGOING MEDICAL ISSUES ALREADY POSSESSED BY THESE DETAINEES. THAT BEING THEIR LEGAL ARGUMENT AN INMATE SUCH AS THE PLAINTIFF WHO HAS ALREADY HAD 5 NEAR DEATH EXPERIENCES LOCKED UP ON RIKER FOR 3 PLUS YEARS. SHOULD NOT NEVER MISS A MEDICAL APPOINTMENT AT ALL.

DECLATORY RELIEF

THE PLAINTIFF AND MANY OTHER ARE CURRENTLY HOUSED IN GRVC UNIT 1/A UNDER COURT-ORDER LOCKDOWN STATUS. PURSUANT TO CLO COMMAND LEVEL ORDER THAT GOVERNS ALL COURT LOCKDOWN INMATES. EACH INMATE HAS DIFFERENT RESTRICTIONS GOVERNING THEIR COURT-ORDER LOCKDOWN ~~XXXXXX~~ STATUS AND SHOULD BE GOVERN AS SUCH. BUT NOT IN GRVC BECAUSE THEY PUT A BLANKET POLICY TO TREAT ALL COURT -ORDER LOCKDOWN INMATES THE SAME , THEREFORE VIOLATING PLAINTIFF CONSTITUTIONAL RIGHTS. PLAINTIFF HAS NOTHING IN HIS COURT ORDER THAT SAYS HE CAN'T GO TO THE LAW LIBRARY AND SPEAK WITH A LEGAL COORDINATOR LIKE EVERY OTHER INMATE. PLAINTIFF HAS NOTHING IN HIS COURT ORDER SAYING HE CAN'T GO TO RELIGIOUS SERVICES TO PRAY IN A CONGREGATION.

YET AND STILL PLAINTIFF CAN'T GO TO THE LAW LIBRARY WHEN HIS COURT ORDER SPECIFICALLY STATES RESTRICT PLAINTIFF FROM USING PHONE. PLAINTIFF IS A MUSLIM INMATE AND CAN'T GO TO RELIGIOUS SERVICES, VIOLATING RLIUPA RIGHTS. IN COURT ORDER LOCKDOWN UNIT MOVEMENT IS ONE INMATE AT A TIME, THEREFORE THERE COULD NEVER BE A SECURITY THREAT WHERE INMATES ARE OPENLY HOUSED THERE DUE TO VIOLATION OF PENAL LAW CODES CONDUCT IN THIER CRIMINAL CASES AND NOT VIOLATION OF A DOC MISBEHAVIOR REPORT. THIS FACTOR SHOULD VOID THE DEFENDANTS FROM AN AFFIRMATIVE DEFENSE OF CLAIMING SAFETY AND SECURITY BECAUSE OF THE MATTER. IN LIGHT OF IT IF DOC DOES ATTEND TO ADD RESTRICTIONS THE PLAINTIFF AND EACH INMATE THAT ARE SUBJECTED TO THESE ADDED RESTRICTIONS MUST BY LAW BE GIVEN THE RIGHT TO DUE PROCESS WHERE THE PLAINTIFF FINDS OTHERS ALIKE WHO ARE GIVEN THE OPPORTUNITY TO PRESENT EVIDENCE AND TESTIMONY AS TO WHY THE ADDED RESTRICTIONS SHOULD NOT BE INSTITUTED UPON HIM/HER. THE DECLARTORY RELIEF THAT THE PLAINTIFF DEMANDS IS THAT HE AND OTHERS ALIKE BE GIVEN A HEARING WHERE THEY CAN PRESENT EVIDENCE AND TESTIMONY FROM THEMSELVES AND WITNESSES CHALLENGING THE ADDED RESTRICTIONS IN THE COMMAND LEVEL ORDER OF THE GRVC/WEST FACILITY/NIC/ THAT GOVERNS THE COURT ORDER LOCKDOWN HOUSING UNIT. THESE ADDED RESTRICTIONS ARE BUT NOT LIMITED TO THE DENIAL OF PHYSICALLY GOING TO FACILITY LAW LIBRARY, DENIAL OF PHYSICALLY GOING TO FACILITY MEDICAL CLINIC, FOR MEDICAL APPOINTMENTS.,DENIAL OF PHYSICALLY GOING TO MENTAL HEALTH APPOINTMENTS IN AREA MEETING EXAMINATION AND MENTAL HEALTH CRITERIA, DENIAL OF CORRESPONDING IN AND OUT OF FACILTY VIA MAIL, DENIAL OF BEING FREE FROM EHANCE RESTRAINTS SET-UP WITHOUT DUE PROCESS HEARING AND ANY OTHER RESTRICTIONS NOT ADDED OR LISTED IN PERSON LOCKDOWN ORDER.

THE DECLARTORY RELIEF THE PLAINTIFF ASK THAT DOC CREATES AND DESIGNED A SPECIALIZED MANAGEMENT TEAM THAT SPECIFICALLY MANAGES COURT-ORDER LOCKDOWN HOUSING UNIT AND MEET WITH THE PLAINTIFF AND EACH INMATE DETAINEE TO ASSES EACH SPECIFIC ORDER MONTHLY AS TO ENSURE THAT DOC OFFICIALS AND DOC CORRECTION OFFICERS ARE PROPERLY ADDRESSING EACH RESTRICTION AS TO THE SPECIFICS CONTAINED THEREIN, AND NO BLANKET POLICY.

WHICH CREATE CONSTITUTIONAL LIABILITY. FURTHERMORE ITS DEMANDED THAT THIS SPECIALIZED TEAM BE TRINED IN MATTERS OF THE CLO COURT ORDER LOCKDOWN ORDERS AND ALSO HAVE DIRECT ASSES TO JUDGES TO COMMUNICATE AND BE ABLE TO E-MAIL JUDGES TO GIVE UPDATES ON HOW WELL THE INMATE IS ABIBING BY THE ORDER AND SHOULD BE RELEASE FROM THE ORDER, INSTEAD OF NOT HAVING NOI TERMINATION DATE, PLAINTIFF HAVE SUFFERED FOR 4 YRS ~~XXX~~ ON AN ORDER THAT HAS NO TERMINATION DATE WHERE PLAINTIFF WAS NOT ALLOWED TO CALL HIS FAMILY IN 4 YRS A VIOLATION OF USC RIGHTS.

THE PLAINTIFF ALSO DEMAND THAT CORRECTION OFFICERS WORKING ASSIGNED COURT ORDER LOCKDOWN HOUSING UNIT BE PROPERLY TRAINED IN THE MATTER.

CAUSE OF ACTIONS FOR COMPLAINT

ASX AND FOR A FIRST CAUSE OF ACTION FOR VIOLATION
PURSUANT TO 42 U.S.C. & 1983 1ST AMENDMENT
RIGHTS

PLAINTIFF KWAIN THOMPSON, REPEATS. REITERATES AND REALLEGES EACH PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES: CAPTAIN MOODIE GRVC, C.O.LOTT GRVC, THE DEFENDANTS "CITY" LOUIS MOLINA, ASSISTANT COMMISSIONER GRIFFEN, CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD# 462, GRVC CAPTAIN ~~XXXXXXXX~~ JOSEPH, SRT CAPTAIN #1, SRT CAPTAIN #3, SRT CAPTAIN #4, SRT OFFICER #102, SRT OFFICER #120, SRT OFFICER #182, SRT ~~XXXXXXXXX~~#74, SRT ~~XXXXXXXX~~ #75, SRT ~~XXXXXXXX~~ #78, SRT ~~XXXXXXXXXX~~77, SRT ~~XXXXXXXX~~ #79, SRT ~~XXXXXXXX~~ #65, SRT OFFICER #80, SRT OFFICER #88, SRT OFFICER #82, SRT OFFICER #203, SRT OFFICER #111, SRT OFFICER #113, SRT OFFICER #112, FEMALE OFFICER BETHEA FROM WEST FACILITY, OFFICER RICHARDSON FROM WEST FACILITY, SECURITY CAPTAIN ROLLINSON OR ROLLINS, FOR WEST FACILITY, ~~XXXX~~DANIELS VISIT OFFICER FROM WEST FACILITY, CAPTAIN ANDERSON FROM 1/7/2023 WEST FACILITY, ESU CAPTAIN RIVERA, ESU CAPTAIN #28, ESU OFFICER NAME UNKNOWN SHIELD# 4190, CAPTAIN RIVERA SHIELD#1230, GRVC SECURITY OFFICER MCNIEL, GRVC ADW HENRY, CAPTAIN PALEMERO FROM GRVC ON 1/27/2023, C.O. RODRIGUEZ GRVC 1/27/2023, CAPTAIN GUAN #367, DW PHILLIPS.

Case 1:23-cv-02102-JPO-KHP Document 1-1 Filed 03/10/23 Page 55 of 130
C.O. WOOLFE, SRT #102, JPO-KHP, DID ENGAGED IN CONDUCT THAT
CAPTAIN CARTER (GRVC), CAPTAIN MATHIS SRT, DID ENGAGED IN CONDUCT THAT
CONSTITUTE VIOLATIONS OF THE PLAINTIFF PROTECTED CONSTITUTIONAL RIGHTS
PURSUANT TO THE 1ST AMENDMENT IN A RETALITORY MANNER.

THE PLAINTIFF THOUROUGHLY EXPLAINED WITHIN AND THROUGHOUT THAT ON VARIOUS
OCCASSIONS HE WAS DENIED HIS NON PRIVELAGE AS WELL AS PRIVELAGE CORRESPONDENCE
BOTH SENDING AND RECIEVING BECAUSE OF THE FACT HE WILL NOT DROP HIS LAWSUIT.
THIS RETALITORY CONDUCT ALSO INCLUDE THE DENIAL OF (1) FILING A GREIVANCE
TO COMMENCE EXHAUSTION WHICH IS AN PROTECTED RIGHT.(2) SEEING MEDICAL FOR
SICK-CALL AND OTHER MEDICAL PURPOSES, SPEAKING WITH LAWYERS.

DEFENDANT HEREIN ENGAGED IN CONDUCT THAT VIOLATED THE PLAINTIFF RIGHTS
PURSUANT TO RLIUPA FREE CLAUSE FOR RELIGION, WHERE THERE WAS SUBSTANTIAL
BURDEN PLACED ON THE PLAINTIFF BEING WATCHED BY ANY PASSERBY WHEN SHOWERING
IN THE WEST FACILITY COMMUNICABLE DISEASE UNIT. AND NOT BEING ABLE TO CALL
PREA HOTLINE OR 311 TO FILE COMPLAINT OR SICK-CALL HOTLINE 614# OR THE
CHAPLAIN HOTLINE SO I COULD SPEAK WITH IMAN.

AS A RESULT OF THE DEFENDANTS CONDUCT/ACTIONS THE PLAINTIFF RIGHTS WERE
VIOLATED AND CAUSING THE PLAINTIFF KWAIN THOMPSON PAIN AND SUFFERING. MENT-
ALLY AND EMOTIONALLY SUFFERING AS WELL AS SPIRITUALLY TO THE DEGREE THE
UNJURIES SUFFERED IS INREPPARABLE AND NEVER ENDING.

AS AND FOR A SECOND CAUSE OF ACTION FOR EQUAL
PROTECTION CLAUSE PURSUANT TO 42 U.S.C. & 2000cc

PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH PARAGRAPH
OF THIS COMPLAINT AND FURTHER ALLEGE: CAPTAIN MOODIE GRVC, C.O. LOTT # 20075,
THAT DEFENDANTS "CITY", LOUIS MOLINA COMMISSIONER OF DOC, ASSISTANT COMMISH
WHO WAS PRESENT WITH CIB ON JAN/3/2023 SEARCH AT WEST FACILITY, CIB CAPTAIN
FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD#462, GRVC
CAPTAIN JOSEPH, SRT CAPTAIN #1, SRT CAPTAIN #3, SRT CAPTAIN #4, SRT OFFICER
#102, SRT OFFICER #120, SRT OFFICER #182, SRT OFFICER #74, SRT CAPTAIN #75,
SRT OFFICER #78, SRT OFFICER #77, SRT OFFICER #79, SRT OFFICER #65, SRT
ADW PHILLIPS GRVC, CAPTAIN LEMON GRVC,

OFFICER #80, SRT OFFICER #88, SRT OFFICER #82, SRT OFFICER #203, SRT OFFICER #111, SRT OFFICER #113, SRT OFFICER #112, FEMALE OFFICER BETHEA FROM WEST-FACILITY SPRUNG 6, MALE OFFICER RICHARDSON WEST FACILITY SPRUNG 6, SECURITY CAPTAIN ROLLINSON OR ROLLINS WEST FACILITY, VISIT OFFICER DANIELS WEST FACILITY. CO ANDERSON REC CAPTAIN FROM WEST FACILITY ON 1/7/2023, ESU CAPTAIN RIVERA, ESU CAPTAIN #28, ESU OFFICER NAME UNKNOWN SHIELD# ~~XXX~~ 4190, CAPTAIN RIVERA (GRVC) SHIELD# 1230, SECURITY OFFICER MCNEIL FROM (GRVC), ADW HENRY (GRVC),, CAPTAIN PALEMERO (GRVC),, C.O RODRIGUEZ (GRVC) ON 1/27/2023, CAPTAIN GUAN #367, C.O. WOLOSIK (GRVC) ON 1/27/2023, ASSISTANT COMMISSIONER THOMAS GRIFFEN, CAPTAIN CARTER (GRVC), CAPTAIN MATHIS SRT, WEST FACILITY DEPUTY WARDEN, ASSISTANT DEPUTY WARDENS, COMMANDER/CHIEF/SUPERVISING OFFICERS/ RESPONSIBLE FOR OVERSEEING COURT-ORDER LOCKDOWN INMATES/DETAINEES HOUSED IN SPRUNG 6 OF WEST FACILITY FROM DECEMBER/2/2022 TO JAN 18 2023,

THE DEFENDANTS LISTED ABOVE PARAGRAPH AND NAMED AND IS NOW PLACED IN THIS SECOND CAUSE OF ACTION, THESE DEFENDANTS DID VIOLATED THE PLAINTIFF EQUAL PROTECTION RIGHTS IN THE MANNER IN BEING PLACED IN A MEDICAL UNIT AND NO OTHER INMATES ARE SUBJECTED TO BEING PLACE IN SUCH A MANNER AS A MEDICAL UNIT CALLED COMMUNICABLE DISEASE UNIT, PLUS BEING WATCH DAY AND NIGHT WHILE YOU SHOWER BECAUSE YOUR CELL DOOR HAS 3 HUGED GLASS WINDOW MAKING PLAINTIFF CELL COMPLETELY SEE THROUGH AND HE WAS CONSTANTLY WATCH BY OFFICERS AND DOC STAFF WHILE SHOWERING IN CELL, IF HE ~~XXXX~~ TRYED TO MAKE A MAKESHIFT SHOWER CURTAIN HE WAS TOLD HE WILL BE GIVE A TICKET AND THE PUNISHMENT WILL BE SEVERE IF FOUND GUILTY AT THIS HEARING FOR COURT-ORDER LOCKDOWN INMATES. AS A RESULT THE PLAINTIFF SUFFERED FROM PAIN ANDS MENTAL DETACHMENT, DISORDER, SUICIDAL EMOTIONAL DISTRESS TO A DEGREE SUCH INJURIES ARE INREPPARABLE AND NEVER ENDING.

AND AS FOR THE 3RD CAUSE OF ACTIONS FOR VIOLATION
OF EQUAL PROTECTION RIGHTS OF PLAINTIFF 14TH AMENDMENT RIGHTS

PLAINTIFF KWAIN THOMPSON REPEATS, REITERATES AND REALLEGES EACH PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES: CAPTAIN MOODIE GRVC, C.O. LOTT#20075 DW PHILLIPS GRVC,

THAT DEFENDANT(S), "CIT", LOUIS HOLINA COMMISSIONER OF THE DEPARTMENT OF CORRECTION, ASSISTANT COMMISSIONER WHO WAS PRESENT WITH CIB ON 1/3/2023 SEARCH AT WEST FACILITY, CIB CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHIELD#462, CAPTAIN JOSEPH (GRVC), SRT CAPTAIN #1, SRT CAPTAIN #3, SRT CAPTAIN #4, SRT OFFICERS 'S #'S, 102,120,182,74,75,78,77,79,65,80,88, 82,203,111,113,112, FEMALE OFFICER BETHEA AT WEST FACILITY SPRUNG 6, MALE OFFICER RICHARDSON WEST FACILITY SPRUNG 6, SECURITY CAPTAIN ROLLINSON OR ROLLINSWEST FACILITY, VISIT OFFICER DANIELS WEST FACILITY SPRUNG 6, C.O. ANDERSON RECREATION CAPTAIN SPRUNG 6 WEST FACILITY, ESU CAPTAIN RIVERA, ESU CAPTAIN #28, ESU OFFICER NAME UNKNOWN SHEILD# 4190, CAPTAIN RIVERA SHEILD# 1230, SECURITY OFFICER MCNEIL (GRVC), ADW HENRY (GRVC), CAPTAIN POALEMERO (GRVC) FROM 1/27/2023, C.O. RODRIGUEZ (GRVC) ON 1/27/2023, ASSISTANT COMMISS-- IONER THOMAS GRIFFEN, CAPTAIN GUAN SHEILD#367, CAPTAIN CARTER (GRVC), CAPTAIN MATHIS SRT TEAM, SUPERVISING OFFICERS RESPONSIBLE FOR SUPERVISING COURT-ORDER LOCKDOWN INMATES AT THE WEST FACILITY FROM DECEMBER/2/2022 TO JAN/16/2023, THEY DID ENGAGED AND HAVE KNOWLEDGE OF OR OTHERWISE HAD DIRECT CONDUCT THAT WAS A RESULT OF PLAINTIFF BEING PLACED UNLAWFULLY IN EHANCE RESTRAINTS SET-UP WITH WAIST CHAINS AND MITTENS EVEN THOUGH IT WAS WIDELY KNOWN,EXPRESSED THAT THE PLAINTIFF WAS NOT AN ENHANCED RESTRAINT INMATE, WAS NOT MEDICALLY CLEARED TO BE IN SUCH A SET-UP DUE TO MEDICAL-EXEMPTION AND THE DEFENDANTS HAD DIRECT KNOWLEDGE OF THIS EXEMPTION/INFORMATION AS PER ALL COURT-ORDER LOCKDOWN HOUSING UNIT, OFFICER AND COMMISSIONERS CAN SEE FOLDER WHICH CONTAINS SPECIFIC INSTRUCTION TO HOW AND ON HOW TO SECURE THE INMATE ACCORDING TO HIS COURT-ORDER LOCKDOWN CHART, WHERE THE CONDUCT TOOK PLACE AAND EACH DEFENDANT AT ONE TIME OR ANOTHER READ PLAINTIFF COURT-ORDER SEEING THE RESTRICTIONS THAT WAS LISTED, AND THAT THE PLAINTIFF WAS NEVER AFFORDED AN HEARING NOR NOTIFICATION IN REGARDS TO BE COMING "ENHANCE RESTRAINTS INMATE" AND THAT NO OTHER INMATE DETAINED WITHIN THE CONFINES OF NEW YORK CITY BOARD/DEPT OF CORRECTIONS WAS SUBJECTED TO FORCIBLY BECOMING "ENHANCE RESTRAINTS" WITHOUT

BEING AFFORDED A HEARING AND NOTIFICATION. AS A RESULT PLAINTIFF HAS SUFFERED PAIN AND EMOTIONAL AND SPIRITUAL DISPAIR THAT CAN NOT WILL NOT BE REPAIRED. ALONG WITH THE COMMON PAIN THAT ACOMPANY BEING SHACKED AND HANDCUFFED DAILY FOR EVERY MOVEMENT. THIS CONDUCT LED TO PLAINTIFF ATTEMPTING SUICIDE AND DEEP DEPRESSION AND NOT EATING AND NOT PRAYING 5 TIMES A DAY LIKE A REAL MUSLIM OUGHT TOO, AND PAINTIFF COULD NOT EAT.

-AND AS FOR A 5TH CAUSE OF ACTIONS FOR RETALIATION PURSUANT TO 42 U.S.C. 1983 & VIOLATION OF PROTECTED RIGHTS UNDER THE 1ST AMENDMENT:

PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES: CAPTAIN JONES GRVC, CAPT MOODIE, THAT THE DEFENDANT(S), "CITY" LOUIS MOLINA COMMISSIONER OF DEPARTMENT OF CORRECTION, ASSISTANT COMMISSIONER WHO WAS PRESENT WITH CIB ON 1/3/2023 SEARCH AT THE WEST FACILITY, CIB CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD# 462, (GRVC) CAPTAIN JOSEPH, SRT CAPTAIN #1, SRT CAPTAIN #3, SRT CAPTAIN #4, SRT OFFICERS #'S 102, 182, 74, 75, 78, 77, 79, 65, 80, 88, 82, 203, 111, 112, 113, FEMALE OFFICER BETHEA WEST FACILITY SPRUNG 6, MALE OFFICER RICHARDSON WEST FACILITY SPRUNG 6, SECURITY CAPTAIN WEST FACILITY ROLLINSON OR ROLLINS, VISIT OFFICER DANIELS WEST FACILITY SPRUNG 6, ANDERSON REC CAPTAIN SPRUNG 6 WEST FACILITY, ESU CAPTAIN RIVERA, ESU CAPTAIN #28,, ESU OFFICER NAME UNKNOWN SHEILD # 4190, CAPTAIN RIVERA SHIELD3 1230, (GRVC) SECURITY OFFICER MCNEIL, (GRVC) ADW HENRY, CAPTAIN PALEMEBO (GRVC) ON 1/27/2023, C.O. RODRIGUEZ (GRVC) ON 1/27/2023, CAPTAIN GUAN (GRVC) SHEILD#367, C.O. WOLOSIK (GRVC) ON 1/27/2023, ASSISTANT COMMISSIONER THOMAS GRIFFEN, CAPTAIN MATHIS SRT, DID ENGAGED IN CONDUCT THAT CONSTITUTE RETALIATING AGAINST THE PLAINTIFF FOR COMPLAINTS AND ONGOING PENDING CIVIL LAWSUITS AGAINST CAPTAIN CARTER, WARDEN RENEE, AND DEFENDANT(S) FOLLOWING UNLAWFUL ORDERS FROM DOC AND "CITY" OFFICIALS BE IT/CHEIF/COMMISSIONER/WARDEN/DEPUTY WARDEN/ ASSISTANT DEPUTY WARDENS/CAPTAIN/ CAPTAIN LEMON GRVC, C.O. LOTT 20075, AND OFFICERS AND SUPERVISORS OF THE COURT ORDER LOCKDOWN INMATES AT SPRUNG 6 WEST FACILITY MEDICAL UNIT CALLED "COMMUNICAL DISEASE UNIT.

WITHIN AND THROUGHOUT THIS COMPLAINT THE PLAINTIFF THOROUGHLY EXPRESSED AND LISTED EACH TIME THAT HE WAS INFORMED BY VARIOUS DEFENDANTS THAT THEY WERE ORDERED TO DENY PLAINTIFF THINGS SUCH AS RIGHT TO MAIL, VISITS THAT ARE CONTACT WHERE YOU CAN HUG AND KISS YOUR VISITOR, COMMUNICATION WITH 311 THE PREA XSEXUAL ABUSE HOTLINE THE 614 MEDICAL HOTLINE AND MORE MEDICAL MISSED APPOINTMENTS, ALL BECAUSE PLAINTIFF HAD OPEN ONGOING LITIGATION AGAINST THIER BOSSES AND/OR HIGHER DOC OFFICIALS. IT WAS CLEAR MADE CLEAR TO THE PLAINTIFF THAT DEFENDANTS DID NOT WANT PLAINTIFF TO USE THESE AVENUES TO REPORT SUCH CONDUCT THAT THESE DEFENDANT(S) WERE ILLEGALLY AND UNLAWFULLY ENGAGING IN.

AS A RESULT OF THIS CONDUCT IS THE CAUSE OF INJURY/INNJURIES THAT THE PLAINTIFF KWAIN THOMPSON, SUFFERED FROM THESED IN REPPARABLE INJURIES WILL BE LIFE-LONG, DEEP DEPRESSION, NOT EATING, ATTEMPT-SUICIDES, MISSING OPPORTUNITY TO OBJECT TO LEGAL MATTERS SINCE PLAINTIFF IS PRO-SE, NO ACCESS TO USB DISCOVERY TO RESAERCH LEGAL CASE. NOT BEING ABLE TO STRATEGIZED WITH COUNSEL AT UPCOMING TRIAL STARTING IN JAN/2023, ETC,

AND AS FOR THE 6TH CAUSE OF ACTIONS FOR VIOLATIONS
OF RIGHTS PURSUANT TO THE 42 U.S.C 1983 AND 1985(2)(3)

PLAINTIFF KWAIN THOMPSON REPEATS, REITERATES AND REALLEGES EACH PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES: THAT DEFENDANT~~XXX~~ (S) "CITY" LOUIS MOLINA COMMISSIONER OF THE NEW YORK CITY DEPARTMENT OF CORRECTION, ASSISTANT COMMISSIONER WHO WAS PRESNT ON SEARCH AT WEST FACILITY ON 1/3/2023, CIB CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD#462, (GRVC) CAPTAIN JOSEPH~~X~~, SRT CAPTAIN #1, SRT CAPTAIN #3, SRT CAPTAIN #4, SRT OFFICERS #'S 102,120,182,74,75,78,77,79,65,80,88,82,203,111,112,113, FEMALE OFFICER BETHEA WEST FACILIOTY SPRUNG 6. MALE OFFICER RICHARDSON WEST FACILITY SPRUNG~~6~~, SECURITY CAPTAIN WEST FACILITY ROLLINSON OR ROLLINS, VISIT OFFICER DANIELS WEST FACILITY SPRUNG ~~6~~, ANDERSON CAPTAIN WEST FACILITY 1/7/2023, ESU CAPTAIN RIVERA, ESU CAPTAIN #28, ESU OFFICER NAME UNKNOWN SHEILD# 4190, CAPTAIN RIVERA SHEILD# 1230, (GRVC) SECURITY OFFICER MCNIEL, (GRVC) ADW HENRY, CAPTAAIN PALEMER CAPTAIN LEMON, CAPTAIN JONES GRVC, CAPTAIN MOODIE GRVC, C.O.LOTT 20075,

(GRVC) ~~XX~~, C.O. RODRIGUEZ (GRVC) 1/27/2023, ASSISTANT COMMISSIONER THOMAS GRIFFEN, CAPTAIN CARTER, CAPTAIN GUAN ~~SHIELD#~~ SHIELD# 367, C.O.WOLOSIK ON 1/27/2023 (GRVC) CAPTAIN MATHIS SRT, DID ENGAGED IN CONDUCT TO VIOLATE THE PLAINTIFF RIGHTS, CAUSE HARM, INTIMIDATE OR OTHERWISE CONVINCE PLAINTIFF TO DROP HIS PENDING LAWSUITS AGAINST WARDEN RENEE, CAPTAIN CARTER AND ADW HENRY, AND THAT SAID CONDUCT AND ACTION DID NOT OCCUR UNTIL AFTER PLAINTIFF FORMALLY FILE A 1983 IN YEAR 2022X,

THIS FACTOR SATIFIES THE ADVERSE PRONG AS WELL AS THE FACT THAT THE PLAINTIFF UNDERSTOOD AND BELIEVED THAT THE CONDUCT WAS GEARED TOWARDBS(1) OBSTRUCTING JUSTICE, (2) INTIMIDATING, HIM, (3) DEPRIVING PLAINTIFF OF HUMAN RIGHTS PROTECTED AND GAURANTEED TO HIM BY THE STATE OF NEW YORK AND THE FEDERAL CONSTITUTION OF UNITEDK STATES OF AMERICA .

THE PLAINTIFF KWAIN THOMPSON, UNDERSTOOD THAT BY INFORMING HIM OF THE THREATS AND THE NORMALIZING THIER CONDUCT THAT HE WAS ONLY BEING SUBJECTED TO INJURIES DESCRIBED HEREIN BY DEFENDANT(S) NAMED HEREIN NOT BECAUSE HE HAD VIOLATED DOC RULES AND REGULATIONS, BUT RATHER BECAUSE PLAINTIFF HAD OPEN AND PENDING LITIGATIONS LAWSUITS ON DOC ~~XXXXXX~~ OFFICIALS/HIGHER-UPS AND HE WAS TOLD THIS NUMEROUS TIMES AND LISTED HEREIN.

THIS ADMISSION AND NORMALIZATION BY THE DEFENDANTS NAMED HEREIN IS CLEAR AND UNDERSTOOD THAT THESE DEFENDANTS KNOWINGLY AND WILLINGLY ENGAGED IN CONDUCT THAT WAS SPECIFICALLY DESIGNED AND GEARED TOWARDS DETERING, FORCING, THREATENING, INTIMIDATING, AND ABUSING TACTICS, IN GETTING PLAINTIFF TO DROP HIS PENDING LAWSUITS AGAINST CITY AND DOC STAFF. DEFENDANT CONDUCT WAS A DIRECT HIT ON PLAINTIFF MIND AND SOUL AND THE CAUSE OF PLAINTIFF INJURIES FALLING INTO DEEP DEPRESSION, SUICIDES, NOT EATING/NOT PRAYING AND OTHER EMOTIUONAL AND SPIRITUAL DEPLETION THAT IS INREPARABLE.

ASX AND FOR THE 7TH CAUSE OF ACTION FOR VIOLATION
VIOLATION OF 42 U.S.C. & 1986 & 1983 & 1985

PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH PARAGRAPH

OF THIS COMPLAINT AND FURTHER ALLEGES: THAT DEFENDANTS "CITY" LOUIS MOLINA COMMISSIONER OF THE NEW YORK CITY DEPARTMENT OF CORRECTION, ASSISTANT COMMISSIONER WHO WAS PRESENT ON SEARCH AT WEST FACILITY SPRUNG 6 ON 1/3/2023, CIB CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD# 462, (GRVC), CAPTAIN JOSEPH, SRT CAPTAIN #1, SRT CAPTAIN #3, SRT CAPTAIN #4, SRT OFFICERS #'S 102,120,182,74,75,78,77,79,65,80,88,82,203,111,112,113, FEMALE OFFICER BETHEA WEST FACILITY, MALE BLK OFFICER RICHARDSON WEST FACILITY, SECURITY CAPTAIN ROLLINS OR ROLLINGSON, VISIT OFFICER DANIELS WEST FACILITY, ANDERSON REC CAPTAIN WEST FACILITY 1/7/2023 WEST FACILITY, ESU CAPTAIN RIVERA, ESU CAPTAIN #28, ESU OFFICER NAME UNKNOWN SHEILD# 4190, CAPTAIN RIVERA SHEILD# 1230, (GRVC) SECURITY OFFICER MCNIEL, (GRVC) ADW HENRY, CAPTAIN PALANERO (GRVC) ON 1/27/2023, C.O.RODRIGUEZ (GRVC) ON 1/27/2023, C.O.WOLOSIK (GRVC) ON 1/27/2023, ASSISTANT COMMISSIONER THOMAS GRIFFEN "DOC", CAPTAIN CARTER, CAPTAIN MATHIS SRT, WHO SUPERVISED SPRUNG 6 WEST FACILITY HOUSING UNIT FOR COURT-~~XXXX~~ ORDER LOCKDOWN INMATES, THESE DEFENDANTS NAMED HEREIN DID HAVE DIRECT KNOWLEDGE THAT WRONG DOING WAS TAKING PLACE IN REGARDS TO THE PLAINTIFF DEFENDANTS THREATS OF PUNISHMENT NO WINDOWS FOR FRESH AIR IN CELL FOR AND INMATE LIKE PLAINTIFF WHO IS A CHRONIC ASTHMATIC. TOLD TO DROP LAWSUIT THEN HE WILL GET HIS CONTACT VISITS BACK WITH HIS FAMILY, DEFENDANT(S) COLLECTIVELY AND TOGETHER WAS NOT ABIDING BY THIER DUTIES AS ACCORDING TO MANDATORY DUTIES UNDER NEW YORK CITY ADMINISTRATIVE CODE & 9-108(C), CORRECTION LAW & 500-C(4) AND THE RULES OF THE CITY OF NEW YORK 40 && 3-20(R)(4), ALONG WITH OTHER DUTIES TO THAT INCLUDE: BUT ARE NOT UNLIMITED OR LIMITED TO PROTECTING THE PLAINTIFF FROM FURTHER HARM AND FROM THE CONDUCT OF DEFENDANTS WERE CONSPIRING TO INTIMIDATE, THREATEN, HARM, DETER, FORCE, PLAINTIFF TO DROP HIS PENDING LITIGATION LAWSUIT AGAINST THIER CO-WORKERS. DEFENDANTS NAMED HEREIN SHOULD HAVE AND COULD HAVE ACTED LIKE REASONABLE PERSON AND DILIGENTLY COULD HAVE PREVENTED, REPORTED THROUGH EEO COMPLAINT AND COULD HAVE PREVENTED FURTHER DAMAGE AND INJURIES SUFFERED BY THE PLAINTIFF AFTER THEY WERE NOTIFIED OR

WITNESSED OR WAS FORCED TO ENGAGE IN CONDUCT DURING THE PERIOD THAT THEY WAS
POSTED ON PLAINTIFF HOUSING UNITS WEST FACILITY SPRUNG 6 CELL 614, (GRVC
HOUSING UNIT 2B CELL 1, GRVC HOUSING UNIT 1A CELL 4, WITH THE SRT TEAM.
DEFENDANTS FAILURE TO PREVENT FURTHER HARM AND TO PREVENT FURTHER ACTION
IN A CONSPIRACY WAS DIRECT AND PROXIMATE RESULT OF PLAINTIFF INJURIES OF
PAIN AND SUFFERING WITH THE COURTS MISSING TIMELINES AND DEADLINES IN CIVIL
AND CRIMINAL PROCEEDINGS THAT WAS ONGOING AT THE TIME OF SAID CONDUCT.
PLAINTIFF NOT ALLOWED TO CALL THE ~~XXXXXXX~~ CHAPLAIN HOTLINE LIKE EVERY
OTHER INMATE ON RIKER'S ISLAND, PLAINTIFF NOT ALLOWED TO CALL THE SICK-CALL
HOTLINE LIKE EVERY OTHER INMATE ON RIKER'S ISLAND, PLAINTIFF NOT ALLOWED
TO CALL THE PRISON RAPE HOTLINE LIKE EVERY OTHER INMATE ON RIKER'S ISLAND,
PLAINTIFF NOT ALLOWED TO CALL 311 TO MAKE A GRIEVANCE COMPLAINT LIKE EVERY
OTHER INMATE ON RIKER'S ISLAND. PLAINTIFF WILL NEVER BE THE SAME FROM THE
ABUSE HE ENDURED FOR OVER 3 YEARS AND STILL COUNTING.

AND AS FOR 8TH CAUSE OF ACTION FOR VIOLATION PURSUANT
TO PLAINTIFF 8TH AMENDMENT RIGHTS

42. USC & 1983

PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH PARAGRAPH
OF THIS COMPLAINT AND FURTHER ALLEGES: THAT DEFENDANT(S) "CITY" LOUIS
MOLINA COMMISSIONER OF THE NYC DEPARTMENT OF CORRECTION, ASSISTANT COMMISH
WHO WAS PRESENT WITH CIB ON SEARCH IN WEST FACILITY ON 1/3/2023, CIB CAPTAIN
FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD# 462,
(GRVC) CAPTAIN JOSEPH, SRT CAPTAIN #1, SRT CAPTAIN #3, SRT CAPTAIN #4, SRT
OFFICERS #'S 102,120,182,74,75,78,77,79,65,80,88,82,203,111,112,113,FEMALE
OFFICER BETHEA SPRUNG 6, MALE BLK OFFICER RICHARDSON SPRUNG 6 WEST FACILITY,
SECURITY CAPTAIN ROLLINSON OR ROLLINS WEST FACILITY, VISIT OFFICER DANIELS
SPRUNG 6, ANDERSON REC CAPTAIN WEST FACILITY ON 1/7/2023, ESU CAPTAIN RIVERA,
ESU CAPTAIN # 28, ESU OFFICER UNKNOWN SHIELD# 4190, CAPTAIN RIVERA SHEILD#
1230, (GRVC) SECURITY OFFICER MCNIEL, (GRVC) ADW HENRY, CAPTAIN PALENERO
(GRVC) ON 1/27/2023, C.O. RODRIGUEZ (GRVC) ON 1/27/2023, C.O. WOLOSIK (GRVC)

ON 1/27/2023, CAPTAIN GUAN SHEILD# 367, CAPTAIN CARTER (GRVC), CAPTAIN MATHIS SRT, ASSISTANT COMMISSIONER THOMAS GRIFFEN, DID DIRECTLY OR HAD KNOWLEDGE THAT THE CONDITIONS THAT THE PLAINTIFF WAS LIVING UNDER AND THE TREATMENT IN WHICH THEY ENGAGED IN CONDUCT WITH THE PLAINTIFF RESULTED IN CRUEL AND UNUSUAL PUNISHMENT, NEGLIGENCE AND RECKLESS AND UNLAWFUL IN NATURE, THE CONDUCT IN QUESTION IS AS FOLLOWS BUT NOT LIMITED TO: BEING DENIED CONTACT VISITS WITH FAMILY BECAUSE HE WON'T DROP PENDING LAWSUITS, BEING RECORDED WHILE BEING EXAMINE BY MEMBERS OF MEDICAL DOCTORS AND NURSES IN SPRUNG 6 WEST FACILITY, BEING SENT TO WEST FACILITY C.D.U COMMUNICABLE DISEASE UNIT IN RETALITION OF OFFICERS AND WARDEN AND ADW BEING SUED IN (GRVC) BEING SUBJECTED TO NUMEROUS SEARCHES AND PROPERTY TAKEN WITHOUT BEING GIVEN A PROPERTY RECIEPT IN SPRUNG 6 WEST FACILITY, BEING WATCH WHILE TAKING SHOWERS BECAUSE C.D.U INMATES COULD NOT PUT UP NO SHOWER CURTAINS OR FACE PENALTIES, BEING PLACED IN ENHANCE WITHOUT NO HEARING OR NOTICE GIVEN LIKE EVERY OTHER RIKER'S ISLAND INMATE, HAVING WALKING CANE TAKEN AWAY WHILE IN SPRUNG 6 CELL# 614 LEAVING PLAINTIFF FOR A 6 FULLY BEDRIDDEN WEEKS. BEING PLACE IN A CELL WITH BLACK SMOKE MOOT ON CELL DOOR AND INSIDE CELL WALLS KNOWING FULLY THAT PLAINTIFF IS A CHRONIC ASTHMATIC AND THAT BLACK SMOKE MOOT DOOR NEEDED TO BE PAINTED OVER OR REPLACED TOTALLY BEFORE IT COULD BE LIVIABLE FOR A HUMAN, BEING DENIED MEDICAL APPOINTMENTS WITH DOCTORS WHEN PLACE ON THE SICK-CALL LIST. BEING DENIED MENTAL HEALTH SERVICES WHEN YOU HAVE TO SHOUT THROUGH A CELL DOOR JUST TO TALK WITH MENTAL HEALTH STAFF A VIOLATION OF THE HIPPA PRIVACY LAWS WHERE OFFICERS AND INMATES ALIKE CAN HEAR MY WHOLE EXAMINATION, NOT ALLOWED TO CALL PRISON RAPE HOTLINE#, NOT ALLOWED TO CALL 311 TO MAKE A COMPLAINT, NOT ALLOWED TO CALL 614 THE SICK-CALL HOTLINE, NOT ALLOWED TO CALL THE CHAPLAIN HOTLINE, NO MAIL CAN BE SENT OR HANDED OUT RETRIVED, SHOWERTIME IS ON FULL DISPLAY WHEN ANYONE WALKS PASS YOUR CELL THEY CAN SEE YOU NAKED IN THE SHOWERS, NO GREIVANCE BOX OR OFFICERS IN SPRUNG 6 NO GREIVANCE MECHANISM, BEING SUBJECTED TO CONSTANT THEREATS AND RETALIATION OVER PENDING LAWSUITS LITIGATION AND MORE. AS A RESULT

Case 1:23-cv-02102-JPO-KHP Document 1 Filed 03/10/23 Page 64 of 130
OF THE CONDUCT OF THESE DEFENDANTS ENGAGED IN WAS THE DIRECT PROXIMATE
CAUSE OF THE PLAINTIFF SUFFERING AND PAIN THAT'S NEVER EBDING MENTALLY
INREPARABLE DAMAGE.

AS FOR THE 9TH CAUSE OF ACTION FOR VIOLATION OF THE
PLAINTIFF 14TH AMENDMENT PURSANT TO 42 U.S.C & 1983

UNREASONABLE INTRUSION

PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH AND EVERY
PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES: THAT THE DEFENDANT(S)
"CITY" LOUIS MOLINA COMMISSIONER OF THE NYC DEPARTMENT OF CORRECTION,
ASSISTANT COMMISSIONER WHO WAS PRESENT WITH CIB ON 1/3/2023 SEARCH AT
WEST FACILITY, CIB CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN
LOPEZ SHEILD# 462, (GRVC) CAPTAIN JOSEPH, SRT CAPTAIN #1, SRT CAPTAIN #3, SRT
CAPTAIN #4, SRT OFFICERS #'S 102, 120, 182, 74, 75, 78, 77, 79, 65, 80, 88, 82, 203, 111,
112, 113, FEMALE OFFICER BETHEA SPRUNG 6, BLK MALE OFFICER RICHARDSON SPRUNG
6 WEST FACILITY, SECURITY CAPTAIN WEST FACILITY ROLLINSON OR ROLLINS,
VISIT OFFICER WEST FACILITY DANIELS, ANDERSON REC CAPTAIN WEST FACILITY
ON 1/7/2023, ESU CAPTAIN RIVERA, ESU CAPTAIN #28, ESU OFFICER NAME UNKNOWN
SHEILD # 4190, CAPTAIN RIVERA SHIELD 1230, (GRVC) SECURITY OFFICER MCNEIL,
(GRVC) ADW HENRY, (GRVC) CAPTAIN PALANERO ON 1/27/2023, C.O. RODRIGUEZ ON
1/27/2023, C.O. WOLOSIK ON 1/27/2023 (GRVC), CAPTAIN GUAN SHIELD# 367, CAPTAIN
CARTER (GRVC), CAPTAIN MATHIS SRT, ASSISTANT COMMISSIONER THOMAS GRIFFEN,
DID SUBJECT THE PLAINTIFF TO UNREASONABLE INTRUSION AND DID ENGAGED IN CONDUCT
WHILE PLAINTIFF WAS UNREASONABLE INTRUSION CIRCUMSTANCES AND DID WATCH PLAIN-
TIF SHOWER IN SPRUNG 6 BEGINNING DEC/2/2022 TO JAN/16/2023 AND DID TAKE
WALKING CANE FROM PLAINTIFF WHEN HE ENTERED HIS CELL SUBJECTING PLAINTIFF TO
BE BEDRIDDEN FOR THE ENTIRE 6 WEEKS WHILE HE WAS AT WEST FACILY ~~EXNN~~
COMMUNICABLE DISEASE UNIT, BY STANDING AND RECORDING OF PLAINTIFF BEING EXAMINE
BY MEDICAL DOCTORS IN THE SPRUNG 6 BYM SRT TEAM INVADING AND BREAKING ALL
HIIPA LAWS THAT PLAINTIFF HAVE A PROTECTED RIGHT TOO, BEING PUT IN ENHANCE
RESTRAINTS SET-UP WITHOUT BEING GIVEN A HEARING OR NOTICE OF WHY BEING PLACED
IN SET LIKE ANY OTHER INMATE

ON RIKER'S ISLAND, NOT BEING ABLE TO CALL NO EMERGENCY NUMBERS GIVEN TO INMATES IN TIMES OF TROUBLE, SUCH AS PRISON RAPE HOTLINE# SICK-CALL 614#, CHAPLAIN NUMBER TO SPEAK WITH SPIRITUAL ADVISOR ABOUT SUICIDE PREVENTION, 311 HOTLINE# TO MAKE A FORMAL COMPLAINT, NO MAIL, NO ACCESS TO USB DISCOVERY LEGAL WORK TABLET AT THE WEST FACILITY SPRUNG 6, NO SHOWER CURTAIN, AND THREATS, TO DROP LAWSUITS AGAINST DOC STAFF, NO CONTACT VISITS BECAUSE OF MY LAWSUITS AT WEST FACILITY SPRUNG 6 FOR THE WHOLE 6 WEEKS ON UNIT, FOR NO PENALOGICAL REASONS FOR THE PLAINTIFF TO BE SUBJECTED TO THIS TYPE OF TREATMENT, DEFENDANT "CITY" IS IN DIRECT VIOLATION IN THIS REGARD AS DEFENDANT "CITY" HAD ALREADY REACHED AN AGREEMENT IN THIS SAME REGARDS IN THE MATTER OF NUNEZ V. CITY OF NEW YORK, 2015 U.S. DIST. LEXIS 176190 (S.D.N.Y. JULY 10 2015) WHERE THERE WAS SECTION OUTLINED IN SETTLEMENT UNDER COMPREHENSIVE VIDEO SURVEILLANCE OF JAILS; DOC WILL INSTALL SUFFICEINT ADDITIONAL WALL-MOUNTED VIDEO SURVEILLANCE CAMERAS THROUGHOUT THE CITY JAILS TO ENSURE COMPLETE COVERAGE OF "CITY" JAILS, WITH CERTAIN NARROW EXCEPTIONS SUCH AS THE INTERIOR OF SHOWER AREAS AND TOILET AREAS AND MEDICAL EXAMINATION AREAS. DEFENDANT "CITY" AGREEING THAT SUCH WILL BE PROPERLY IN PLACE AND COMPLETED BY FEBURARY 28,2018. THE PLAINTIFF COMPLAINT BY PASS THIS DATE BY 5 YEARS AND THE DEFENDANT "CITY" IS VOID OF ANY LEGAL ARGUEMENT THAT WILL SUFFICIENTLY SUPPORT A REASON WHY THERE WOULD BE A RECORDING OF PLAINTIFF MEDICAL EXAMINATION AND NO CURTAINS FOR SHOWERS INSIDE PLAINTIFF CELL AT THE C.D.U. WEST FACILITY CELL# 614. PLAINTIFF PAIN AND SUFFERING IS DEADLY AND NEVER ENDING DAMAGE.

AS AND FOR A 10TH CAUSE OF ACTION FOR VIOLATION OF PLAINTIFF RIGHTS PURSUANT TO DUE PROCESS RIGHTS COVERED UNDER
14TH AMENDMENT

PLAINTIFF KWAIN THOMPSON REPEATS, REITERATES AND REALLEGES EACH PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGED: THAT THE DEFENDANT(S) "CITY", LOUIS MOLINA COMMISSIONER OF THE DEPT OF CORRECTIONS, ASSISTANT COMMISSIONER WHO WAS PRESENT WITH CIB ON 1/3/2023 SEARCH AT WEST FACILITY, CIB CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD# 462, (GRVC) CAPTAIN JOSEPH, SRT CAPTAIN #1 , SRT CAPTAIN #3 , SRT CAPTAIN #4 ,

SRT OFFICERS #'S 102,120,182,74,75,78,77,79,65,80,88,82,203,111,112,113, FEMALE OFFICER BETHEA SPRUNG 6 WEST FACILITY, MALE BLK OFFICER RICHARDSON SPRUNG 6 WEST FACILITY, SECURITY CAPTAIN ROLLINSON OR ROLLINS WEST FACILITY, VISIT OFFICER DANILES WEST FACILITY SPRUNG 6, ANDERSON REC CAPTAIN ON 1/7/23, ESU CAPTAIN RIVERA, ESU CAPTAIN #28, ESU OFFICER NAME UNKNOWN SHEILD# 4190, CAPTAIN RIVERA SHEILD # 1230, SECURITY MCNIEL (GRVC), (GRVC) ADW HENRY, (GRVC) CAPTAIN PALENERO ON 1/27/23, C.O. RODRIGUEZ ON 1/27/23, C.O. WOLOSİK ON 1/27/23 (GRVC), CAPTAIN GUAN SHIELD# 367, (GRVC) CAPTAIN CARTER, CAPTAIN MATHIS SRT, THAT DEFENDANTS WENT AS FAR AND CREATED FRAUDULENT DOCUMENTS STATING PLAINTIFF WAS CMC ENHANCE RESTRAINTS AS WELL AS AN I.C.R INMATE WHEN ITS BEEN WELL OVER 5YRS SINCE PLAINTIFF HAD AN I.C.R STATUS. DEFENDANT(S) DID ENGAGED IN CONDUCT THAT VIOLATED THE PLAINTIFF DUE PROCESS RIGHTS, AND DID SO KNOWINGLY AND WILLINGLY FOR REASONS OTHER THAN REASONABLE.

(A) THE PLAINTIFF WAS PLACED IN ENHANCE RESTRAINTS EVEN THOUGH THERE WAS NO DOCUMENTATION THAT INDICATED THAT THE PLAINTIFF WAS SUPPOSE TO BE PLACED IN/ON THIS STATUS. EACH OF THE DEFENDANTS HAD ACCESS TO THE PLAINTIFF SUPREME COURT ORDER THAT IS ON THE DESK AT EVERY HOUSING UNIT SUCH AS MDC 9 NORTH, GRVC UNIT 2/B 2/A AND GRVC UNIT 1/A AND WEST FACILITY SPRUNG 6,

(B) EACH OF THESE DEFENDANTS HAD ACCESS TO THE INQUIRY SYSTEM THAT IS IN THE COMPUTER AT WEST FACILITY, MDC 9 NORTH, GRVC UNITS 1/A 2/A 2/B, THEY COULD HAD EASILY ENTERED PLAINTIFF BOOK AND CASE # 349-19-01450 AND LEARNED THAT THE PLAINTIFF WAS NOT ENHANCE RESTRAINTS. AND AT TIMES WHEN THE PLAINTIFF OBJECTED EACH DEFENDANT WOULD HAVE RATHER MET THE PLAINTIFF WITH FORCE AND IGNORE HIS PLEAS.

(C) EACH DEFENDANT NAMED HEREIN THIS COMPLAINT HAD ACCESS TO THE PLAINTIFF FLOOR CARD AND INSTITUTIONAL FOLDERS WHICH WAS IN THE BUBBLE AT WEST FACILITY AND GRVC HOUSING UNITS THAT WILL HAVE INFORMED THE DEFENDANT(S) UPON INSPECTION THAT PLAINTIFF IS NOT ENHANCE RESTRAINTS FOR EACH DETAINEE FLOOR CARD STATES EXACT CLASSIFICATION ON EACH CARD.

(D) DEFENDANT CITY IS AWARE AND WAS ON NOTICE FOR THIS ISSUE IN THE PASS WHICH WAS ADDRESSED IN THE MATTER OF WILLIAMS V. CITY ET AL 21-CV-1083 IN MAGISTRATE JUDGE REPORT AND RECOMMENDATION

STATED THAT THE PLAINTIFF DESERVED SOME FORM OF DUE PROCESS BEFORE THE INSTITUTION OF SUCH A STATUS, SEE REPORT ISSUES ON AGUST/5/2022 WILLIAMS V. CITY OF NEW YORK ET AL, 21-CV-1083 (PGG)(KHP), FURTHER MORE THIS IS A MATTER THAT IS WIDELY KNOWN AND BEEN ADDRESSED IN CASES SUCH AS WOLFF V. MCDONNEL, 418, U.S. 539; 94 S. CT. 2963; 41 L. ED. 2D 935 (1974) ALSO WILKSON V. AUSTIN, 545 U.S. 209; 125 S. CT. 2384; 162 L.ED 2D 174 (2005), ALSO IN BEST V. NYC DEPT OF CORR, 14. F. THE PLAINTIFF HAS NEVER HAD AN HEARING FINDING HIM TO BE ENHANCED RESTRAINTS STATUS, NEVER BEEN GIVEN NOTICE AND HAD NEVER HAD BEEN GIVEN THIS STATUS UNTIL ARRIVING AT GRVC NOTING THAT THE PLAINTIFF HAS BEEN COURT-ORDER LOCKDOWN SINCE JUNE/2019 AND NEVER HAD SUCH ISSUES WHEN DETAINED, THIS ALL ~~XXXX~~ BEGIN WHEN PLAINTIFF SUED AT GRVC, NOTING THE ENHANCED RESTRAINTS WAS INSTITUTED ONCE CONFINED TO GRVC AND WEST FACILITY AS A FORM OF PUNISHMENT AND RETALIATION FOR CIVIL LITIGATION AND NOT BECAUSE THE DEFENDANT(S) MISUNDERSTOOD. AND THAT MISTAKE, MISUNDERSTANDING OR IGNORANCE OF THE LAW IS NOT AFFIRMATIVE DEFENSE AGAINST VIOLATIONS OF PLAINTIFF DUE PROCESS RIGHTS NOR IS THERE ANY CASE LAW THAT WILL SUPPORT THE THEORY.

DEFENDANTS "CITY" OWN POLICY ON THE MATTER SEEN IN EXHIBIT-C HEREIN OUTLINES THE DUE PROCESS PROCEDURES AND CRITERIA FOR ENHANCE RESTRAINTS STATUS BY DEFENDANTS SEEMS TO WANT TO DISREGARD SUCH, WHICH IS IN ITSELF SUPPORT OF DUE PROCESS VIOLATION.

DUE PROCESS VIOLATION OF RELIGION: AND RLIUPA : THE PLAINTIFF IS A DEVOTED MUSLIM INMATE SINCE ADMISSION INTO NYC DOC ON MARCH/1/2019 BUT THE "CITY" ADW HENRY , ~~XX~~ C.O. MCNEIL AT G.R.V.C MAINTAINS A CUSTOM POLICY AND PRACTICE WITH COMMISSIONER LOUIS MOLINA, DEP MILLER, ASSISTANT COMMISSIONER GRIFFEN, THAT RESTRICTS THE PLAINTIFF FROM PRACTICING HIS MUSLIM FAITH BECAUSE HE'S ON COURT-ORDER LOCKDOWN. THEREFORE THE PLAINTIFF IS RESTRICTED FROM BEING ABLE TO POSSES A QURAN AND BE AFFORDED A HALAL MEAL DIET. WHICH IS CONSISTENT WITH HIS RELIGIOUS DIET. SINCE BEING IN HOUSING UNIT 1/A THEY HAVE NEVER SENT HALAL DIET TO THE 3 MUSLIM INMATES INCLUDING THE PLAINTIFF. THE OFFICERS SERVED THE FOODS AND SINCE THEY KNOW THAT EITHER THEY ARE BEING SUED BY THE

PLAINTIFF OR THE PLAINTIFF IS SUING ONE OF THIER CO-WORKERS THEN THEY WILL MAKE SURE THE PLAINTIFF GET THE WRONG DIET, THGERE IS A POLICY THAT NO OFFICER CAN SERVE THE INMATES FOOD WITHOUT AN OFFICIAL FOOD HANDLERS CERTIFICATE. AND NONE OF THE OFFICERS WHO SERVED THE FOOD ON HOUSING UNIT 1/A (GRVC) AND WEST FACILITY (SPRUNG 6) WAS QUALIFIED TO SERVE PLAINTIFF HIS FOOD ESPECIALLY ~~XXXXX~~ IF PLAINTIFF HAS OUTSTANDING GREIVANCES AND 311 COMPLAINTS AGAINST OFFICERS, IT WILL BE THE PERFECT TIME FOR THAT OFFICER TO RETALIATE BY SPITTING AND PUTTING GARBAGE IN THE FOOD. OR DOWN-SIZE THE PORTIONS OF THE FOOD. THE PLAINTIFF EXPERIENCED ALL THESE FACTORS SINCE FILED LAWSUITS AGAINST OFFICERS AT RIKERS ISLAND. IN FACT GRVC MAINTAINS A COMMAND LEVEL ORDER THAT GOVERNS COURT-ORDER LOCKDOWN INMATES, THAT CLEARLY STATES THAT THE ONLY RELIGIOUS TEXT THAT THE PLAINTIFF CAN POSSES IS THAT OF A CHRISTIAN BIBLE. AND THAT RULE IS ENFORCED.

THIS VIOLATES THE PLAINTIFF'S RELIGIOUS DUE PROCESS RIGHTS AS HE IS RESTRICTED WITHOUT REASON, WITHOUT CAUSE AND WITHOUT BEING NOTIFIED AS TO THE REASONS WHY. THERE IS NO PENALOGICAL THREAT IN THE PLAINTIFF PRACTICING HIS ISLAMIC RELIGION, FOR THE PLAINTIFF HAS NEVER BEEN CHARGED WITH CRIMINAL CHARGES BASED OFF BEING MUSLIM NOR HAS HE EVER BEEN ISSUED AN INFRACTION STATUTE THAT HE WAS OR ATTEMPTED TO RADICALIZED OTHER MUSLIM INMATES.

THE UNITED STATES OF AMERICA AS WELL AS THE STATE OF NEW YORK MAINTAIN SPECIFIC LAWS AND RIGHTS THAT ARE GEARED TOWARDS PROTECTING THE RIGHTS OF PRISONER'S AS IT RELATES TO THE RELIGION OF CHOICE AND ENGAGING IN SUCH RELIGIOUS PRACTICES WHILE INCACERATED. THIS FACT IS WIDELY KNOWN BUT THE DEFENDANTS "CITY" SEEMS TO CONSTANTLY DISREGARD THIS FACT AND THE PLAINTIFF IS ASSERTING THAT SUCH IS DUE TO RETALIATION AND NEGLIGENCE DUE TO THE PLAINTIFF CIVIL LITIGATION AND GREIVANCES ON POLICIES AND MISTREATMENT AT THE "CITY" JAIL; RIKERS ISLAND FACILITIES.

AND AS FOR AN 11TH CAUSE OF ACTION FOR
VIOLATION OF PLAINTIFF EQUAL OPPORTUNITY RIGHTS
AS IT PERTAINS TO HOUSING COURT ORDER LOCKDOWN INMATES
AND PROGRAMS GIVEN TO THOSE WHO ARE CONFINED TO A CELL FOR
23 HOURS OUT THE DAY

THE PLAINTIFF KWAIN THOMPSON REPEATS, REITERATES AND REALLEGES EACH PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES: THIS PLAINTIFF IS NOT THE ONLY COURT-ORDER LOCKDOWN INMATE DETAINED WITHIN THE JAILS MAINTAINED BY DEFENDANT "CITY".

THERE ARE NUMEROUS INMATES UNDER COURT-ORDER LOCKDOWN STATUS BEING DETAINED AT FACILITIES, NORTH INFIRMARY COMMAND CENTER (N.I.C) AND WEST FACILITY AT THESE FACILITIES THESE INMATES ARE CLASSIFIED AS BEING COURT-ORDER LOCKDOWN STATUS AND ARE FURNISHED WITH TELEVISION INSIDE THEIR CELLS, WHICH MAKES THE STATUS NOT PUNITIVE. BUT THE PLAINTIFF AT GRVC IS SUBJECTED TO BEING HELD IN A CELL 23/HOURS A DAY MOST OF THE TIME 24/HOURS A DAY WITHOUT A TV INSIDE THE CELL. OR RECREATION WHICH IN ESSENCE IS WORSE THEN THE INMATES BEING HELD IN THE SHU WHEN THE SHU EXISTED.

THE PLAINTIFF BEING DENIED A TV INSIDE THE CELL VIOLATES AND IS A VIOLATION OF THE EQUAL PROTECTION AND EQUAL OPPORTUNITY WHERE OTHER INMATES THAT ARE ON THE SAME STATUS ARE EQUIPPED IN A MANNER THAT IS NOT PUNITIVE. AT ALL BUT THE PLAINTIFF IS NOT. (GRVC) HOUSING UNIT 1/A AND THE WEST FACILITY (SPRUNG 6) PLAINTIFF WAS NOT GIVEN ANY READING MATERIAL SUCH AS READING BOOKS OR MAGAZINES TO OCCUPY HIS TIME BEING IN A CELL 23/HOURS OUT THE DAY. NO PROGRAMS WAS AFFORDED LIKE STUDYING, CELL/STUDY FOR COLLEGE OR HIGH SCHOOL TO OCCUPY PLAINTIFF TIME WHILE BEING INSIDE A CELL 23/HOUR OUT THE DAY NOR WAS ANY MUSIC PROGRAM OR

ARTS AND CRAFTS PENCILS AND PAPER WAS GIVEN TO PLAINTIFF TO RELIEVE THE STRESS AND ANXIETY OF BEING IN A CELL 23/HOURS OUT THE DAY LOOKING AT 4 WALLS.

PLAINTIFF IN (GRVC 1/A) PLAINTIFF TOLD ADW HENRY AND OFFICER MCNEIL THAT HE WOULD LIKE TO HAVE A CELL THAT HAS A TABLE AND A STOOL SO HE CAN WRITE LETTERS. DEFENDANTS SAID YOU WILL NEVER GET A CELL LIKE THAT. THIS WILL ONLY BE GIVEN

TO RESPECTABLE PRIVILEGE INMATES. ALSO HOUSING UNIT 1/A SHOWERS ONLY GET CLEAN TWICE WEEKLY. WHILE GP HOUSING UNITS GET CLEAN TWICE DAILY CAUSING FEET FUNGUS AND BAD DIFFICULT FOR PLAINTIFF BREATHING BECAUSE THE LIVING CONDITIONS ARE DIFFERENT FROM GP INMATES AND IT SHOULD BE EQUAL FOR ALL NO MATTER THE INMATE ~~XXXXXX~~ STATUS. THIS IS A GRAVE HEALTH CONCERN. AS WELL THERE IS NO SCRUB BRUSH OR CLEANING SUPPLIES IN HOUSING UNIT 1/A (GRVC) THE SCRUB BRUSH IS USE FOR CLEANING THE TOILET BOWL SO WHEN URINE SMELLS BUILD UP YOU MUST GET RID OF THE SMELL TO NOT HAVE DIFFICULTY BREATHING. PLAINTIFF HAS BEEN IN HOUSING UNIT SINCE JAN/16/23 AND AS OF FEB/4/23 THERE HAS NOT BEEN NO SCRUB BRUSH TO CLEAN CELL TOILETS AND PLAINTIFF IS A CHRONIC ASTHMATIC. AS WELL THERE IS NO DUSTPAN TO PICK UP THE TRASH, SEE GENTEC VIDEO FROM JAN/16/23 TO FEB/4/23 THERE IS NO DUST PAN. YOU WILL SEE TRASH BEING SWEEPED TO CORNERS AND WALLS AND BEING LEFT SO THE RATS AND ROACHES TO INFEST PLAINTIFF CELL. A CITY HEALTH HAZARD. BUT IN GENERAL POPULATION OTHER INMATES GET TO ENJOY A CLEAN HOUSING AREA WHERE THEY HAVE CLEANING SUPPLIES SUCH AS SCRUB BRUSH TO CLEAN THEIR TOILETS AND A PROPER DUST PAN TO NOT GET AN INFESTATION OF ~~XX~~ MICE AND ROACHES LIKE COURT-ORDER LOCKDOWN INMATES HAVE IN HOUSING UNIT 1/A (GRVC). DEFENDANTS "CITY" AND DOC OFFICIALS ARE CIRCUMVENTING THE HUMANE ALTERNATIVE LONG-TERM TO SOLITARY CONFINEMENT BY DISGUISED THE PLAINTIFF AND HOUSING PLAINTIFF IN SUCH A MANNER THAT IT IS ACTUALLY PUNITIVE IN NATURE BUT HIDING BEHIND THE EXISTENCE OF AN ILLEGAL COURT-ORDER. WHEREAS A SUPREME COURT JUDGE DOES NOT HAVE THE POWER TO SUPERCEDE THE LAW OF NEW YORK STATE CALLED THE " HALT ACT" WHICH ABOLISH 23/HOURS IN A CELL THROUGH THE ENTIRE STATE OF NEW YORK.. THIS FACTOR ALSO GOES TO THE TRAINING, RETENTION, SUPERVISION AND HIRING PRACTICES OF DOC OFFICIALS, DEFENDANT "CITY" IS LIABLE. WHEREAS THE LACK OF TRAINING IN THE LAWS OF THE STATE OF NEW YORK AND CONSTITUTION AS WELL OF DOC POLICIES SEEM TO BE CLEAR REASON AS TO WHY THE PLAINTIFF IS EXPERIENCING THE VIOLATIONS OF HIS RIGHTS MENTIONED HEREIN.

AS A RESULT OF THE DEFENDANTS CONDUCT WHICH IS AND WAS THE DIRECT PROXIMATE CAUSE OF THE PLAINTIFF INJURIES OF PAIN AND SUFFERING AND IRREPARABLE DAMAGE MENTIONED HEREIN.

AS AND THE 12TH CAUSE OF ACTION FOR VIOLATION OF THE FREEDOM
OF RELIGION CLAUSE OF THE UNITED STATES CONSTITUTION

PLAINTIFF KWAIN THOMPSON REPEATS, REITERATES AND REALLEGES EACH PARAGRAPHS OF THIS COMPLAINT AND FURTHER ALLEGES: DEFENDANTS DID VIOLATE THE PLAINTIFF FREEDOM OF RELIGION RIGHTS TO EXERCISE UNDER THE 1ST AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES, WHEN THE PLAINTIFF WAS DENIED THE RIGHT TO POSSESS A QURAN AND TO PRACTICE HIS ISLAMIC FAITH, THE CONSTANT SEIZING OF HIS QURAN AND NOT GIVEN A RECEIPT FOR.

DEFENDANTS CURRENTLY MAINTAINS A POLICY THAT IS IN DIRECT CONFLICT WITH THE PLAINTIFF RIGHTS TO PRACTICE HIS ISLAMIC FAITH, BUT ALLOWS AND PROMOTE THE CHRISTIAN RELIGION BY SUPPLYING BIBLES, CONFISCATING QURAN'S AND TORAH'S FROM COURT-ORDER LOCKDOWN INMATES AND REPLACING THEM WITH BIBLES BY THE GIDEON VERSION PUBLISHER.

A COPY OF THIS COMMAND LEVEL ORDER UNDER PREVIOUS ADMINISTRATION CAN BE SEEN IN EXHIBIT-H AND IS MORE THAN LIKELY THE SAME (C.L.O) BEING USED TO GOVERN THE PLAINTIFF HOUSING AREA UNIT 1/A OR ONE SIMILAR TO IT.

TO SUPPORT THE FACT THAT THE DEFENDANTS ARE CONSCIOUSLY ENGAGING IN SUCH CONDUCT, THE PLAINTIFF ASSERTS TO THE COURT TO LOOK NO FURTHER THEN THE FACT THAT THE ~~XXXXXXXXXXXX~~ PLAINTIFF IS NO LONGER RECEIVING HALAL MEALS WHICH IS TIED TO HIS RELIGIOUS DIET. AND THE FACT THE DEFENDANTS HAVE REPLACE THE PLAINTIFF FLOOR CARD THAT INDICATES HE'S MUSLIM INMATE WITH AN ALL WHITE FLOOR CARD LISTING NO RELIGION.

THIS CAUSES CONFUSION WHEN TIME TO MEET WITH THE IMAM AND RECEIVE HALAL MEALS, BECAUSE THE FACT THAT THE DEFENDANTS SEEMED TO ERASE ALL EXISTENCE INFORMATION AND DOCUMENTATION INFORMING THAT THE PLAINTIFF IS A MUSLIM INMATE.

THE SAME IS NOT FOR THE INMATES THAT PRACTICE THE CHRISTIAN RELIGION OR EVEN THE JEWISH RELIGION, THOUGH JEWISH INMATES TORA'S SEEM TO BE CONFISCATED AS WELL. AND REPLACED WITH BLUE GIDDEON BIBLES AS IN THE CASE OF ALEXANDER WILLIAMS JR.

THE DEFENDANTS HAVE ALREADY KNOWLEDGE THE FACT THAT THE PLAINTIFF IS A MUSLIM INMATE. SEE THE MATTER OF KWAIN THOMPSON-V-CITY OF NEW YORK, DOCKET# 1:22-CV-07222 UA. SO THE DEFENDANTS HAVE NO DEFENSE IN THE REASON WHY THE PLAINTIFF SINCE BEING RETURNED BACK TO THE (GRVC FACILITY) HAS NOT BEEN AFFORDED THE HALAL MEALS PURSUANT TO HIS RELIGIOUS DIET BUT OTHER MUSLIM INMATES IN POPULATION ARE.

THE IMAM THAT IS ASSIGNED TO THE COURT-ORDER LOCKDOWN HOUSING UNIT HAS SENT E-MAILS AS TO THIS ISSUE TO NO AVAIL./ AND DOC OFFICIALS AND GREIVANCE PERSONEL HAS BEEN UNABLE AS TO WHY THE PLAINTIFF IS EXPERIENCING SUCH ISSUES. PURSUANT TO 42 U.S.C && 2000CC AND THE 1ST AMENDMENT ESTABLISHMENT CLAUSE WHICH STATES THAT, CONGRESS SHALL MAKE NO LAW RESPECTING THE ESTABLISHMENT OF RELIGION AND PROHIBITING GOVERNMENT OFFICIALS FROM ESTABLISHING A NATIONAL RELIGION.

THE GOVERNMENT, A GOVERNMENT OFFICIAL AND/OR A POLICY MAKER FOR THE CITY OF NEW YORK, LIKE IN THE INSTANCE CASE IS NOT ALLOWED TO AID, ONE RELIGION OR TO FAVOR ONE (1) RELIGION OVER ANOTHER. THIS IS BASICALLY WHAT THE CLO IN EXHIBIT-H DOES AND THE PRACTICE AND PROCEDURES CURRENTLY BEING IMPLEMENTED IN THE COURT-ORDER LOCKDOWN HOUSING UNIT AT GRVC 1/A. WHICH SOMETHING THE PLAINTIFF DID NOT EXPERIENCE AT MDC WHEN HE WAS HOUSED THERE.

IT SEEMS AS THOUGH GRVC DOC OFFICIALS ARE FORCING A BIBLE ON THE PLAINTIFF, FAILING TO PROVIDE HALAL MEALS PURSUANT TO HIS DIET. AND ALSO SEIZING TORA AND QURAN'S FROM OTHER INMATES WHO ARE NOT CHRISTIANS, WHILE ALLOWING THE INMATES THAT PRACTICE THE CHRISTIAN RELIGION TO POSSES AND ENGAGE IN MEALS AND PRACTICES PURSUANT TO THEIR RELIGION.

THE COURTS ESTABLISHED IN EVERSON-V-BOARD OF EDUCATION, 330 U.S. 1,15, 67 S. Ct 504, 511, 91 L.ED. 711,723, (1947) THAT NEITHER A STATE NOR FEDERAL GOVERNMENT CAN SET UP A RELIGION, NEITHER CAN PASS LAWS AIDING ONE RELIGION OR PREFER ONE RELIGION OVER ANOTHER.

THE (RLUIPA) RELIGIOUS LAND USE AND INSTITUTION PERSONS ACT OF 2000, 42 U.S.C. && 2000-CC-5 (2012) (CODIFYING THAT NO GOVERNMENT SHALL IMPOSE A SUBSTANTIAL BURDEN ON THE RELIGIOUS EXERCISE OF THE INMATE IN JAIL). PLAINTIFF WAS NOT ALLOWED TO CONGREGATE WITH OTHER MUSLIMS AT MOSQUE. THIS CONDUCT WAS "EGREGIOUS AND UNNECESSARY" AND WAS DONE WITHOUT FIRST DEMONSTRATING THAT IMPOSING THE BURDEN SERVED A COMPELLING GOVERNMENT INTEREST. THIS IS SUPPORTED IN THE MATTER OF LOVELACE-V-LEE 472 F. 3D 174 182 (4TH CIR 2006) AND ESTABLISHED AS LAW BY THE COURTS.

AS MENTIONED WITHIN THE COMPLAINT THAT THE PLAINTIFF WAS DENIED THE RIGHT TO ENGAGED IN HIS RELIGIOUS BELIEFS AND DIET AND THE DEFENDANT(S) HAVE STATED NO REASONS WHY THEY FAILED TO ADHERE TO THEIR OWN POLICIES AND PROCEDURES AS IT RELATES TO THIS ISSUE OF RELIGIOUS RIGHTS FOR COURT-ORDER LOCKDOWN INMATES WHO HAS BROUGHT FORTH FEDERAL COMPLAINTS IN REGARDS TO THIS RESTRICTIONS SEE MATTER TREVOR FORREST-V-CITY OF NEW YORK, 2022 ALEANDER WILLIAMS JR-V-CITY OF NEW YORK SOUTHERN DISTRICT, RATHER THE PLAINTIFF ARGUES THAT THE DEFENDANT CITY AND OTHERS ARE AWARE OF THEIR ACTIONS AS IT RELATES TO THE LIVING CONDITIONS ON THE NOTORIOUS RIKERS ISLAND. DEFENDANTS DENIAL OF PLAINTIFF RELIGIOUS RIGHTS AND PLACING THESE SUBSTANTIAL BURDENS ON THE PLAINTIFF SUCH AS DENIAL OF HALAL MEALS AS A FORM OF REVENGE, RETALIATION AND PUNISHMENT FOR THE PLAINTIFF PENDING CIVIL LITIGATIONS.

UNDERSTANDING THE FACTS THAT DETAINEES RIGHTS ARE VIEWED BY THE COURTS DIFFRENTLY THAN THE RIGHTS OF PRISONERS THAT ARE CONVICTED AND SENTENCED TO HARD PRISON TIME, AND THE DETAINEES AND PRISONERS ALIKE HAVE THE RIGHT

FOR THEIR RELIGIOUS DIETS TO BE RESPECTED AND ADHERED TO AND IF NOT THE COURTS HAVE FOUND THAT DENIAL OF THIS RELIGIOUS DIET IS A LEGITIMATE CLAIM PROTECTING RELIGIOUS DIETARY, SEE FORN-V-McGINNIS, 352 F.ED 582, 597(2ND CIR. 2003) ALSO LOMHOLT-V-HOLDER, 8 287 F.3D 683 (8TH CIR 2002).

WHILE HELD AT THE WEST FACILITY C.D.U SPRUNG 6 FOR 6 WEEKS BETWEEN DEC/2/2022 TO JAN/16/2023 THE PLAINTIFF WAS AFFORDED HIS HALAL MORE OFTEN PURSUANT TO MUSLIM DIET. BUT WAS DENIED HIS HALAL MEALS SINCE RETURNING BACK TO G.R.V.C WHERE PLAINTIFF HAS PENDING LAWSUITS AGAINST 15 OFFICERS. THE PLAINTIFF HAS NOT BEEN SERVED ANY NOTIFICATION PURSUANT TO HIS RELIGIOUS DUE PROCESS AS TO THE REASONS WHY HE IS BEING DENIED HIS HALAL MEALS AT (GRVC FACILITY).

AS A RESULT OF THE CONDUCT OF THE DEFENDANTS NAMED HEREIN THE PLAINTIFF WAS UNABLE TO ENGAGE FREELY IN HIS RELIGIOUS PRACTICE AND RELIGIOUS DIETARY DUE TO THE SUBSTANTIAL BURDEN PLACED ON HIM WITHOUT EXHIBITING A COMPELLING GOVERNMENTAL LEGITIMATE INTEREST TO DO SO. THE PLAINTIFF "KWAIN THOMPSON" SUFFERED PAIN AND INJURIES TO THE DEGREE THAT IS INREPARABLE DAMAGE AND ALONG WITH SPIRITUAL AND EMOTIONAL DISTRESS.

AS AND FOR A 13TH CAUSE OF ACTION FOR THE DELIBERATE
INDIFFERENCE TO THE PLAINTIFF MEDICAL AND MENTAL HEALTH NEEDS:

THE PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH PARAGRAPHS OF THIS COMPLAINT AND FURTHER ALLEGES: THE DEFENDANTS "CITY" LOUIS MOLINA COMMISSIONER OF THE DEPT OF CORRECTION, ASSISTANT COMMISSIONER WHO WAS PRESENT WITH CIB ON JAN/3/2023 SEARCH AT WEST FACILITY, CIB CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD#462 (GRVC CAPTAIN JOSEPH), SRT CAPTAIN# 1, SRT CAPTAIN #3, SRT CAPTAIN #4, SRT OFFICERS #'S 102, 120, 182, 74, 75, 78, 77, 79, 65, 80, 88, 82, 203, 111, 112, 113, FEMALE OFFICER BEATHEA FROM WEST FACILITY SPRUNG 6, MALE BLK OFFICER RICHARDSON WEST FACILITY SPRUNG 6, SECURITY CAPTAIN ROLLINSON OR ROLLINS FROM WEST FACILITY, VISITATION OFFICER FROM WEST FACILITY DANIELS,

ANDERSON REC CAPTAIN FROM WEST FACILITY JAN/7/2023, ESU CAPTAIN RIVERA, ESU CAPTAIN #28, ESU OFFICER NAME UNKNOWN SHEILD# 4190, CAPTAIN RIVERA SHIELD#1230, (GRVC SECURITY MCNIEL) (GRVC ADW HENRY) CAPTAIN PALEMERO GRVC, C.O. RODRIGUEZ FROM GRVC 1/27/23. CAPTAIN GUAN SHEILD# 367, C.O. WOLOSİK GRVC CAPTAIN MATHIS SRT, C.O. KESSIA LIECTH GRVC, C.O. ~~XXXXXX~~ BRANCHE, CAPTAIN CARTER, GRVC, NURSE BLOUNT. DID MAINTAINED A POLICY THAT WAS DELIBERATE INDIFFERENCE TO THE PLAINTIFF MEDICAL NEEDS AND THAT DENIED THE PLAINTIFF THE ABILITY TO REQUEST MEDICAL/MENTAL HEALTH CARE SICK-CALL IN ACCORDANCE WITH 40 RCNY& 3-04(B)(6).

DEFENDANTS ALSO DISPLAYED DELIBERATE INDIFFERENCE WHEN PLAINTIFF BLOOD PRESSURE WAS LOW BECAUSE HIS MEDICATION WAS NOT GIVEN TO HIM ON THE NORMAL SCHEDULE SINCE RE-ENTERING (GRVC ON JAN/16/23) NURSE BLOUNT ALONG WITH C.O. KESSIA LIECTH AND C.O. RUSSELL I WAS BROUGHT TO THE CLINIC AND WAS TOLD BY DEFENDANTS KESSIA LIECTH, NURSE BLOUNT ON 2/5/23 AT 8AM I WILL NEVER GET MY MEDICATION AT THE SCHEDULE TIME AS LONG AS I GOT THEM IN A LAWSUIT. THIS WAS TOLD INFRONT OF DEFENDANT CAPTAIN PALEMERO. ON 2/6/23 AT 6:30PM CAPTAIN MITCHELL ESCORTED PLAINTIFF TO THE MINI CLINIC IN GRVC TO GET HIS BLOOD CHECK AND PRESCRIBED SCHEDULE MEDS AND WAS TOLD BY C.O. RUSSEL AND ~~MM~~ WAS TOLD BY NURSE BLOUNT THAT HE WILL NOT GET HIS BLOOD PRESSURE CHECKED I DON'T CARE HOW SICK HE FEEL. AND HE WILL NEVER GET HIS PRESCRIBED MEDICATION ON SCHEDULE TIME. AS LONG AS HE GOT A PENDING LAWSUIT SHE TOLD CAPTAIN MITCHELL HE WILL NEVER RECEIVE TIMELY SERVICE OR EVEN ANY MEDICAL SERVICE WHEN I'M AROUND. PLAINTIFF WAS TOLD TO LEAVE THE MINI CLINIC AND DON'T COME BACK EVER AS LONG AS THEY ARE ON DUTY. PLAINTIFF WAS BROUGHT BACK TO HIS HOUSING UNIT 1/A WHERE HE WAITED TO ALMOST 10PM IN AND OUT OF CONSCIENCE IN HIS CELL WHILE HE WAITED FOR HIS LIFE SAVING MEDICATION. DEFENDANTS ARE GUILTY OF DELIBERATE INDIFFERENCE WHEN PLAINTIFF COULD NOT DIAL THE SICK-CALL HOTLINE# 614 AS INSTRUCTED BY DOC POLICY. THIS CRUCIAL NUMBER WAS TAKEN OFF PLAINTIFF PHONE LIST BY ADW HENRY AND C.O MCNEIL FROM SECURITY

PLAINTIFF WAS TOLD AND THREATEN BY ADW HENRY AND SECURITY OFFICER MCNIEL THAT IF I DON'T DROP THE LAWSUITS AGAINST THEM AND THERE BOSSES, THEY WILL MAKE SURE I WON'T BE ALLOWED TO CALL THE SICK-CALL HOTLINE# 614, PLAINTIFF INFORMED ADW HENRY AND SECURITY C.O. MCNIEL THAT HE WILL BE MOVING FORWARD WITH HIS LAWSUITS. THEN IT WAS TERMINATED. PLAINTIFF WAS TOLD GOOD LUCK TRYING TO GET TO SICK-CALL. PLAINTIFF WAS THEN SUBJECTED TO SIMPLY GETTING MEDICATED BY DOCTORS WHO WALK PASS PLAINTIFF CELL EARLY IN THE MORNING AT 6 OR 7AM AND HEAR MEDICAL COMPLAINTS THROUGH PLAINTIFF CELL DOOR, WITHOUT A PROPER EXAMINATION TO DETERMINE TRUE AND ACCURATE MEDICAL FINDINGS, SEE GENTEC VIDEO. BECAUSE OF DEFENDANTS CUSTOM PRACTICE OF NOT ALLOWING COURT-ORDER LOCKDOWN INMATES TO PHYSICALLY GO TO FACILITY CLINIC AS MENTIONED IN EXHIBIT-H SECTION TITLED MEDICAL ACCESS,

WHEN PLAINTIFF WAS SENT TO WEST FACILITY IN FULL RETALIATION OF BEING PUT IN A CELL FOR 23/HOURS WITHOUT ANY WINDOWS TO OPEN FOR FRESH AIR, WAS IN-FACT DELIBERATE INDIFFERENCE KNOWING THE PLAINTIFF IS AN CHRONIC ASTHMATIC. AND GRVC OFFICIALS KNEW FULL WELL THAT THE WEST FACILITY DID NOT HAVE A SICK CALL SYSYTEM IN PLACE TO SUPPLEMENT FOR THE RESTRICTIONS ON THE PLAINTIFF PHONE LINE, WHICH STOP HIM FROM CALLING SICK-CALL. AND THAT ON NUMEROUS OCCASSIONS MENTIONED HEREIN THIS COMPLAINT THE PLAINTIFF IDENTIFIED THE DEFENDANTS BY THE NUMBERS ON THE VESTS OF SRT TEAM MEMBERS, WHO SHACKLED AND PLACED IN ENHANCE RESTRAINTS WHEN GETTING SEEN BY DOCTORS AND WHOM STOOD IN DOORWAY AND LISTEN TO THE CONVERSATIONS WHILE RECORDING ON BODY-CAM FOOTAGE OF PLAINTIFF EXAMINATION WITH DOCTORS AND NURSE AT THE WEST FACILITY, SEE GENTEC FOOTAGE FROM DEC/2/22 THRU JAN/16/23 THESE CONDITIONS WAS AN DIRECT VIOLATION OF THE PATIENTS BILL OF RIGHTS FROM CHS HOSPITALS. THESE CONDITIONS ARE AND WAS DIRECTED AND INSTITUTED FOR THE SOLE PURPOSE OF GETTING PLAINTIFF TO DROP HIS CIVIL LITIGATION. THEY WERE ALMOST SUCCESSFUL IN THE TACTICS THEY USED DESTROYING THE VERY FOUNDATION OF THE PLAINTIFF MEDICAL NEEDS. DOC POLICY 40 RCNY & 3-02(D)(1) WHICH STATES:

ALL INMATE REQUEST FOR EMERGENCY MEDICAL OR DENTAL ATTENTION
SHALL BE RESPONDED TO PROMPTLY BY MEDICAL PERSONEL. THIS SHALL
INCLUDE A FACE TO FACE ENCOUNTER BETWEEN THE INMATE AND APPROPRIATE
HEALTH CARE PERSONNEL.

INSTEAD CAPTAIN RIVERA SHEILD#1230 AND ADW HENRY ON 1/27/23 FAILED TO CALL THE MEDICAL EMERGENCY FOR THE PLAINTIFF HAVING AN ASTHMA ATTACK IN CELL, WHICH HE STATED HIS CHEST WAS IN PAIN FOR OVER 3 HOURS AND HAD A VERY DIFFICULT TIME BREATHING ON HIS OWN AND HIS ASTHMA PUMP WAS NOT OPERATIONAL. OFFICER WOLOSIK MARKED IN THE LOGBOOK OF ~~MY~~ PLAINTIFF MEDICAL EMERGENCY. THIS VIOLATES DOC POLICY OF 40 RCNY & 3-02(40(II) STATING THAT:
CORRECTIONAL PERSONEL SHALL NOT INTERFERE WITH AN INMATE ACCESS TO INFIRMARY SERVICES OF THE DURATION OF CONFINEMENT IN THE INFIRMARY AND SHALL TRANSFER INMATE TO AND FROM INFIRMARY PROMPTLY WHEN REQUESTED.

THIS CAUSED THE PLAINTIFF TO SUFFER FROM AN ASTHMA ATTACK WITHOUT THE NEEDED MEDICAL ASSISTANCE REQUESTED FROM DEFENDANTS, PLAINTIFF USING A PLASTIC BAG TO NURSE HIMSELF FROM FURTHER HARM.

AS A RESULT OF ALL DESCRIBED SITUATIONS WEST FACILITY AND GRVC THE CONDUCT OF THE DEFENDANTS WERE THE DIRECT PROXIMATE OF THE PLAINTIFF INJURIES OF SUFFERING AND PAIN OF IRREPARABLE HARM AND EMOTIONAL AND MENTAL DAMAGE.

AS AND FOR A 14TH CAUSE OF ACTION FOR
MUNICIPAL LIABILITY

PLAINTIFF KWAIN THOMPSON REPEATS, REITERATES AND REALLEGES EACH PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES:

DEFENDANTS, WHILE ACTING UNDER COLOR OF STATE AND FEDERAL LAW ENGAGED IN CONDUCT THAT CONSTITUTED A CUSTOM, PRACTICE, PROCEDURE, POLICY, USAGE OF RULE OF THE MUNICIPALITY OF DEFENDANT "CITY" WHICH IS FORBIDDEN BY THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

THE AFTERMENTION CUSTOM, POLICIES, PRACTICE, USAGE, PROCEDURES AND OR RULE OF CITY, BUT WERE NOT LIMITED TO INSTITUTING CLO SEEN HEREIN AS EXHIBIT-H

RESTRICTING THE PLAINTIFF TO ONLY BEING ABLE TO POSSESS A BIBLE AND NOT A QURAN OR TORAH AS PURSUANT TO HIS ISLAMIC BELIEFS. NOT AFFORDING THE PLAINTIFF HIS HALAL MEALS DUE TO BEING DETAINED IN COURT-ORDER LOCKDOWN HOUSING UNIT IN PURSUANT TO HIS RELIGIOUS BELIEFS AND RELIGIOUS DIETARY, BEING RESTRICTED FROM MEDICAL CLINIC INSIDE FACILITY DUE TO HIS CLASSIFICATION OF COURT-ORDER LOCKDOWN INMATE, AND PLACED IN A CAGE AT RECREATION WITH NO WORK-OUT EQUIPMENT SUCH AS PULL-UP BARS OR DIP BARS OR MEDICINE BALL OR BASKETBALL, NO EQUIPMENT FOR COURT-ORDER LOCKDOWN INMATES TO WORKOUT AND EXERCISE. BUT GENERAL POPULATION INMATES ARE GIVEN THESE EQUIPMENTS TO EXERCISE DURING THEIR YARD PRIVILEGES, ITS TOTALLY UNFAIR. SEE GENTEC FOOTAGE YARDS GRVC 1/A AND 2/A. PLAINTIFF HAS NO TABLE OR STOOL INSIDE HIS CELL TO WRITE LETTERS. SO HIS BACK IS IN CONSTANT PAIN FROM CONTORTING ON HIS BED TO WRITE LETTERS TO HIS FAMILY, WHILE OTHER INMATES WHO ARE NOT ON COURT-ORDER LOCKDOWN HAS TABLE AND STOOL IN THEIR CELLS, SEE GENTEC FOOTAGE FROM WEST FACILITY AND AMKC. THERE IS NO CELL STUDY OR ANY PROGRAMS FOR COURT-ORDER LOCKDOWN INMATES, NO BOOKS OR MAGAZINES DISTRIBUTED TO PLAINTIFF WHO IS IN HIS CELL FOR 23/HOURS OUT THE DAY. NOTHING TO OCCUPY PLAINTIFF MIND FROM GOING CRAZY. BUT THESE PROGRAMS ARE AFFORDED TO THE INMATES WHO CUT AND ATTACK OTHER INMATES AND OFFICERS, THEIR UNIT IS CALLED "ESH UNIT" THIS PRACTICE, POLICY, CUSTOM MAKE NO SENSE AND IT SHOCKS THE CONSCIOUS, PLAINTIFF IS ON COURT-ORDER LOCKDOWN FOR PHONE RESTRICTIONS, PLAINTIFF HAS NOT INJURED NOR ASSAULTED ANY INMATE OR STAFF OF DOC, BUT HE IS NOT ALLOWED TO HAVE CELL STUDY OR BOOKS AND MAGAZINES LIKE THE INMATES IN THE ASSAULT UNITS. (COURT-ORDER LOCKDOWN INMATES HAPPEN TO BE IN DIRECT CONFLICT WITH NEW YORK STATE LAW, UNDER THE "HALT ACT" THAT PROHIBITS A CLASSIFICATION "WHERE ANY INMATE IS DETAINED INSIDE OF A CELL FOR MORE THAN 17/HOURS IN A DAY" CLASSIFYING AS A BLANKET IN ORDER TO KEEP PLAINTIFF IN CELL 23/HOURS ENHANCE RESTRAINTS WITHOUT NO HEARING OR DUE PROCESS, VIOLATION OF THE INMATES CONSTITUTIONAL.

SUBJECTING INMATES THAT ARE COURT-ORDER TO SHU/BOX LIKE CONDITIONS WITH NO TELEVISION, COLD FOOD, NO HALAL FOOD FOR MUSLIM INMATES LIKE PLAINTIFF, NO BOOKS OR MAGAZINE PROGRAM, NO CELL STUDY, NO TABLE OR STOOL IN CELL TO WRITE LETTERS, SHOWERS ONLY BEING CLEAN TWICE WEEKLY WHERE GP HOUSING AREA GETS TO CLEAN THEIR SHOWERS 3 TIMES A DAY THUS CAUSING COURT-ORDER LOCKDOWN INMATES CONSTANT FOOT FUNGUS AND BODY RASHES FROM A DIRTY SHOWER. NO WAY TO ACCESS THE SICK-CALL HOTLINE 614 # FOR DISCLOSING MEDICAL NEEDS IN PRIVACY AND NOT TO OFFICERS.; SUBJECTING PLAINTIFF TO BEING ENHANCE RESTRAINTS

WHILE IN YARD WHEN YARD IS AFFORDED. SEE GENTEC VIDEO FROM WEST FACILITY FROM DEC/2/22 THRU JAN/16/23. THE FOREGOING CUSTOM, POLICIES, PRACTICES, PROCEDURES OR RULES AND USAGES OF DEFENDANT "CITY" WERE THE MOVING FORCE BEHIND THE CONSTITUTIONAL VIOLATION SUFFERED BY THE PLAINTIFF KWAIN THOMPSON AND THAT OTHER DEFENDANTS ALONG WITH "CITY" SUCH AS ADW HENRY SHEILD# 1038, SECURITY OFFICER MCNEIL GRVC, LOUIS MOLINA COMMISSIONER, CAPTAIN ~~XXXX~~ CARTER GRVC, CAPTAIN GUAN GRVC, AND THE DEPUTY WARDEN WHO ENDORSED CLO SEEN IN EXHIBIT-H AND OTHER CLO THAT MAY BE GOVERNING THE PLAINTIFF HOUSING UNIT CREATED BY LOUIS MOLINA COMMISSIONER AND DEFENDANT "CITY" AND OTHERS NOT NAMED HEREIN.

THE FORGOING CUSTOMS, USAGES, POLICIES, PRACTICES PROCEDURES AND RULES OF CITY WERE THE MOVING FORCE BEHIND THE PLAINTIFF CONSTITUTIONAL VIOLATIONS DEFENDANTS WHILE ACTING UNDER THE COLOR OF LAW OF THE STATE AND FEDERAL LAW WERE DIRECTLY AND ACTIVELY INVOLVED IN VIOLATING THE CONSTITUTIONAL RIGHTS OF THE PLAINTIFF KWAIN THOMPSON. AS A RESULT OF THIS CUSTOM, USAGE PROCEDURES, PRACTICE OR RULE OF DEFENDANTS "CITY" LOUIS MOLINA, ADW HENRY, C.O. MCNEIL SECURITY FROM GRVVC, CAPTAIN GUAN GRVC, CAPTAIN CARTER GRVC, KESSIA LIECH C.O. FROM GRVC, CAPTAIN MATHIS AND MANY OTHERS, THE PLAINTIFF SUFFERED INJURIES OF PAIN AND SUFFERING TO THE DEGREE THE PLAINTIFF BEG FOR DEATH, THE SAID INJURIES ARE IRREPARABLE IN THE DAMAGE THAT WAS INFLICTED UPON THE PLAINTIFF MENTAL ~~XXXX~~ AND EMOTIONAL AND SPIRITUAL SELF.

AS AND FOR 15TH CAUSE OF ACTION VIOLATION OF PLAINTIFF EQUAL
PROTECTION/OPPORTUNITY CONCERNING LIVING CONDITIONS AND TREATMENT

PLAINTIFF KWAIN THOMPSON REPEATS, REITERATES AND REALLEGES EACH PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES:

THE DEFENDANTS NAMED HEREIN FORCED THE PLAINTIFF TO URINEATE IN A PLASTIC BAG IN CELL #1 ON HOUSING UNIT 1/A GRVC LIBRARY CELL WITH NO TOILET INSIDE. INSTEAD ~~XX~~ OF ALLOWING PLAINTIFF TO GO BACK TO HIS CELL#4 TO USE HIS TOILET THEY GAVE HIM A PLASTIC TRASH BAG TO PISS IN. SEE GENTECT FOOTAGE FROM JAN/16/23 TO PRESENT. THIS ~~MMXX~~ HUMILIATION HAS CAUSED THE PLAINTIFF A GREAT DEAL OF GRIEF, IT REMINDED HIM OF WHEN HE'D WAS MOLESTED AS A CHILD.

THE DEFENDANTS NAMED HEREIN CREATED A LIVING CONDITION SO UNBEARABLE IT SHOULD BE A CRIME AND DEFENDANTS BE BROUGHT TO JUSTICE AND FELL THE FULL EXTENT OF THE LAW. PLAINTIFF HOUSING UNIT 1/A GRVC COURT-ORDER INMATES WERE FED COLD FOOD BECAUSE THERE IS NO WARMER LIKE ARE IN GP HOUSING UNITS. THE SHOWERS GETS CLEAN TWICE WEEKLY, CREATING FUNGIS AND RASHES ON INMATES BODIES WHO ARE COURT-ORDER INMATES. NO CLEANING SUPPLIES SUCH AS DUSTPAN TO PICK UP TRASH ON CELL FLOORS AFTER CRUMBS BEING SPILLED FROM FOOD AND SNACKS BRINGING VERMIN AND ROACHES CAUSING PLAINTIFF ASTHMA TO BE TRIGGERED DAILY WITH HOURS OF CHEST PAINS DAILY. NO TOILET SCRUB BRUSH TO CLEAN CELL AFTER PISSING FOR WEEKS AND THE SMELL SO RANCID IT CAUSES PLAINTIFF ASTHMA BEING TRIGGERED ON TOP OF PLAINTIFF MENTAL ILLNESS BEING TRIGGERED BEHIND THE RANCID ORDER. BUT CLEANINGS NEVERS RUNS OUT IN OTHER GP HOUSING UNITS. DEFENDANTS FAILE TO PROVIDE BOOKS AND MAGAZINES FOR 23/HOURS IN THE CELL OR CELLSTUDY COLLEGE DEGREE FOR COURT-ORDE INMATES. BUT OTHER HOUSING UNIT IN GRVC HAVE THESE PROGRAMS AND ARE NOT 23/HOURS IN A CELL LIKE PLAINTIFF.

THE DEFENDANTS CREATED A LIVING ENVIRONMENT WHERE THE PLAINTIFF HOUSING UNIT, CAUSE HIM FOOT FUNGUS ,WEEKLY AND MONTHLY BECAUSE THE SHOWERS WAS NEVER CLEAN PROPERLY LIKE OTHER UNITS WITHIN THE FACILITY. OTHER UNITS WAS AUTHORIZED TO CLEAN THEIR SHOWERS 3 TIMES A DAY, BECAUSE THE COVID-19 PANDEMIC IS STILL ALIVE AND WELL. PLAINTIFF UNIT WAS INTENTIONALLY OVER LOOKED AND DISREGARDED BECAUSE OF PLAINTIFF PENDING CIVIL SUITS AGAINST DOC OFFICERS HERE IN GRVC UNIT 1/A. NO SHOWER MATS SO PLAINTIFF DON'T SLIP AND FALL. THESE MATS ARE PLACED IN OTHER HOUSING UNITS. THESE DIRTY UNCLEAN SHOWERS HAS CAUSED THE PLAINTIFF BODY RASHES WEEKLY AND MONTHLY. WHEREAS OTHER HOUSING UNITS WAS NOT SUBJECTED TO THE SAME TREATMENT AS IT RELATES TO SHOWER AREAS.

THE DEFENDANTS CREATED A DIRTY HOUSING UNIT WHERE AN INFESTATION OF MICE AND ROACHES WHEREAS NO PEST EXTERMINATOR WAS CALLED TO GET RID OF THESE MICE AND ROACHES RUNNING AROUND. SEE GENTEC VIDEO FROM JAN/16/23 THRU PRESENT DAY "NO EXTERMINATOR EVER CALLED FOR THIS INFESTATION" SECURITY OFFICER MCNIEL WHOM PLAINTIFF HAVE PENDING LAWSUIT AGAINST KNOCK AND BANGED ON PLAINTIFF CELL DOOR AT 1 AM TO SAY HE HOPES THOSE RATS AND ROACHES ARE TEARING SKIN APART, SEE GENTECT FOOTAGE ON 2/7/23 1AM. AS A RESULT OF THIS TREATMENT AND CARE THE PLAINTIFF ATTEST THAT DEFENDANT WERE NEGLIGENT IN THEIR DUTIES AND THAT THEIR CONDUCT AND/OR FAILURES WAS THE DIRECT AND PROXIMATE CAUSE OF THE PLAINTIFF INJURIES OF IRREPARABLE HARM AND DAMAGE TO BRAIN THAT WILL BE LIFE LONG PAIN AND SUFFERING.

AS AND FOR A 16TH CAUSE OF ACTION PURSUANT
TO RIGHTS PROTECTED UNDER 42 U.S.C. 1983 FOR
NEGLIGENCE

PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH AND EVERY PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES: DEFENDANTS "CITY" ITS AGENTS, SERVANTS AND EMPLOYEES, INCLUDING BUT NOT LIMITED TO THE PEOPLE NAMED HEREIN THIS COMPLAINT. NEGLIGENTLY, CARELESSLY,

AND RECKLESSLY PERFORMED THIER CORRECTIONAL DUTIES AND CONSTITUTIONAL DUTIES IN THAT THEY FAILED TO USE SUCH CARE IN THE PERFORMANCE OF THIER CONSTITUTIONAL DUTIES AS CORRECTION OFFICERS AND AS A REASONABLE PRUDENT CORRECTION OFFICER WOULD HAVE USED UNDER SIMILIAR CIRCUMSTANCES; FAILED TO PROPERLY SUPERVISE INMATES IN THIER CARE, CONTROL, AND CUSTODY; NEGLIGENTLY CARELESSLY AND RECKLESSLY FAILED TO ALLOW PLAINTIFF THE OPPORTUNITY TO PRACTICE HIS RELIGIOUS FAITH, AND TO EAT HALAL MEALS ACCORDING TO THE MUSLIM DIETARY LAWS. DENYING PLAINTIFF HIS ONE HOUR RECREATION/YARD WHEN OTHER HOUSING UNITS WHO ARE ~~NOT~~ NOT IN 23/HOURS A DAY LOCKDOWN GETS TO GO TO THE YARD DAILY. FAILURE TO PROVIDE PLAINTIFF EXERCISE EQUIPMENT WHEN HE'S IN THE YARD FOR 1 HOUR, WHEREAS OTHER HOUSING UNITS GETS TO ENJOY PULL-UP BARS AND DIP BARS AND MEDICINE BALL AT THEIR 1 HOUR RECREATION. NEGLEGENTLY, CARELESSLY AND RECKLESSLY HOUSED PLAINTIFF AND TRANSPORTED PLAINTIFF PLAINTIFF IN ENHANCE RESTRAINTS THROUGHOUT THE WEST FACILITY AND GRVC FACILITY AND TAKEN TO COURT APPEARANCE IN THIS PUNITIVE RESTRAINTS WITHOUT NO HEARING VIOLATING PLAINTIFF DUE PROCESS. SEE GENTECT VIDEO FROM ALL PLAINTIFF COURT APPEARANCES IN GRVC AND WEST FACILTY. DEFENDANTS VIOLATED THE TERMS AND CONDITIONS OF THE LOCKDOWN ORDER AND MADE IT TOTALLY "PUNITIVE IN A NATURE" THE RULES AND REGULATIONS AND DIRECTIVES OF THE NEW YORK CITY DEPARTMENT OF CORRECTIONS; NEGLEGENTLY CARELESSLY AND RECKLESSLY FAILED TO ALLOW THE PLAINTIFF TO USE THE BATHROOM WHEN HE WAS IN CELL#1 LAWLIBRARY CELL ON THE HOUSING UNIT 1/A, CELL#1 HAS NO TOILET SO PLAINTIFF WAS GIVEN A PLASTIC TRASHBAG TO URINATE IN INSTEAD OF BEING LET OUT OF CELL AND LET BACK INTO HIS OWN CELL SO HE CAN USE HIS TOILET LIKE A HUMAN BEING. DEFENDANTS "CITY" DENIED PLAINTIFF ADEQUATE MEDICAL ~~XXXX~~ CARE AND ACCESS TO MEDICAL CARE , WHERE PLAINTIFF WAS DEAF FOR OVER TEN MONTHS WITHOUT HIS HEARING AIDS. FEB/6/23 JUST WENT TO AUDIOLIST AT WEST FACILITY WHO FITTED ME FOR HEARING AIDS. DEFENDANTS CAUSED PLAINTIFF TO MISS OVER 900 MEDICAL APPOINTMENTS WITH NO REAONS FOR THE MISS PRODUCTION OF PLAINTIFF.

DEFENDANTS HAS NOT PRODUCE PLAINTIFF TO HIS DAILY MORNING MEDICATIONS AT CLINIC, DUE TO RETALITORY PURPOSES BY CORRECTION STAFF, WHICH CAUSES PLAINTIFF BLOOD PRESSURE TO CONSTANTLY FLUXIATE BECAUSE THE TIMING OF THE ADMINISTRATION OF MEDICATIONS IS ALWAYS OFF BALANCE.

THERE'S NO PENALOGICAL INTREST OR REASON THAT SHOULD OFFSET THE PLAINTIFF LIFE SAVING MEDICATIONS, ESPECIALLY THE HIGH BLOOD PRESSURE PILLS.

DEFENDANTS DID NOT PROVIDE PLAINTIFF WITH DUSTPAN TO PICK UP TRASH OFF HIS CELL FLOORS TO STOP THE INFESTATION OF MICE AND ROACHES,

DEFENDANTS FAILED TO PROVIDE MAGAZINES AND BOOKS FROM THE LIBRARY PROGRAMS TO EASE PLAINTIFF MENTAL STRESS LIKE THE ESH AND RMA'S UNITS HAVE EVEN THOUGH THOSE UNIT ARE NOT LOCKED IN THIER CELLS 23/HOURS OUT THE DAY LIKE THE PLAINTIFF IS, ACTUALLY THOSE ASSAULTIVE AND COMBATIVE INMATES ARE GIVEN 7 HOURS OUT THIER CELLS AND PROGRAMS SUCH AS CELL STUDY COLLEGE DEGREE COURSE ARTS & CRAFTS BOOKS AND MUSIC PROGRAMS WHEREAS PLAINTIFF IS LEFT IN CELL STARING AT NAKED WALLS 23/HOURS A DAY WITH NO PHONE, NOTHING BUT PURE~~XXXX~~ ISOLATION ,DEFENDANTS "CITY" AGENTS.SERVANTS,AND EMPLOYEES NEGLIGENTLY, RECKLESSLY, CARELESSLY, INTENTIONALLY DID HARM TO PLAINTIFF, DEFENDANTS FAILED TO EXERCISE DUE CARE,DILIGENCE AND FORE-BEARANCE SO AS TO AVOIDED THIS OCCURENCE AND THE INJURIES TO PLAINTIFF AND OTHERS; THE INJURIES TO MIND BODY AND SPIRIT WAS CAUSED WHOLLY AND SOLELY BY REASON OF THE NEGLEGNCE OF DEFENDANT "CITY OF NEW YORK" LOUIS MOLINA COMMISSIONER OF THE DEPT OF CORRECTION, ASSISTANT COMMISSIONER WHO WAS PRESENT WITH CIB ON JAN/3/2023 SEARCH AT WEST FACILITY, CIB CAPTAIN FLUKA, WARDEN COLLINS, DEPUTY WARDEN MILLER, CAPTAIN LOPEZ SHEILD#462, GRVC CAPTAIN JOSEPH, SRT CAPTAIN #1, SRT CAPTAIN #3, SRT CAPTAIN #4, SRT OFFICERS #'S 102,120,182,74,75,,78,77,79,65,80,88,82,203,111,112,113, FEMALE OFFICER BETHEA FROM WEST FACILITY SPRUNG 6, MALE OFFICER RICHARDSON FROM WEST FACILITY SPRUNG 6, SECURITY CAPTAIN ROLLINSON OR ROLLING FROM WEST FACILITY SPRUNG 6, VISIT OFFICER DANILES FROM SPRUNG 6 WEST FACILITY.

ANDERSON REC CAPTAIN WEST FACILITY FROM 1/7/23, ESU CAPTAIN RIVERA, ESU CAPTAIN# 28, ESU OFFICER NAME UNKNOWN SHEILD#4190, CAPTAIN RIVERA SHILED# 1230, (GRVC SECURITY MCNIEL), (GRVC ADW HENRY), (GRVC CAPTAIN PALEMERO), FROM 1/27/2023, C.O.RODRIGUEZ GRVC FROM 1/27/2023, C.O.WOLOSİK FROM 1/27/23, CAPTAIN GUAN SHEILD#367, ASSISTANT COMMISSIONER THOMAS GRIFFEN, CAPTAIN CARTER GRVC, SRT CAPTAIN MATHIS, C.O. KESSIA LIECTH GRVC LAW LIBRARY, C.O. BRANCHE, NURSE BLOUNT, WITHOUT ANY NEGLIGENCE ON THE PART OF THE PLAINTIFF. BY REASONS OF THE AFORESAID, PLAINTIFF KWAIN THOMPSON, WAS INJURED IN THE MIND BODY AND SPIRIT STILL SUFFERS AND UPON INFORMATION AND BELIEF, WILL CONTINUE TO SUFFER GREAT PHYSICAL AND MENTAL PAIN, AND WAS RENDERED SICK, SORE, LAME AND DISABLED AND SO REMAINS, WAS INCAPCATED IN THE FUTURE, AND HAS EXPENDED DIVERSE SUMS OF MONEY IN EFFORTS TO CURE HIMSELF OF SAID INJURIES AND TO EXTRICATE HIMSELF FROM INDIGNITIES AND HUMILIATION FOSTERED UPON HIM BY THE ACTIONS OF THE DEFENDANTS, THERE AGENTS, SERVANTS AND EMPLOYEES AND UPON INFORMATION AND BELIEF WILL EXPEND FURTHERS SUMS IN THAT DIRECTION, AND THE PLAINTIFF HAS BEEN OTHERWISE SEVERLY DAMAGE.

AS AND FOR A 17TH CAUSE OF ACTION

DEPRIVATION OF FEDERAL CIVIL RIGHTS UNDER 42 U.S.C & 1983

PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH AND EVERY PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES:

ALL THE AFOREMATION ACTS OF DEFENDANTS NAMED HEREIN WERE CARRIED OUT UNDER COLOR OF STATE LAW

ALL OF THE AFOREMENTIONED ACTS DEPRIVED PLAINTIFF KWAIN THOMPSON OF THE RIGHTS, PRIVELAGES AND IMMUNITIES GUARANTEED TO CITIZENS OF THE UNITED STATES BY THE FIRST, FOURTH, SIXTH, EIGHTH, AND 14TH AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA, IN VIOLATION OF 42 U.S.C. & 1983.

WHEREAS DEPRIVATION OF PLAINTIFF RIGHTS TO (1) HOUR RECREATION WAS VIOLATED WITHOUT DUE PROCESS, WHEN DEFENDANT INFORMED PLAINTIFF HE WAS ON RECREATION "RESTRICTIONS" DUE TO HIS PENDING LAWSUITS AGAINST DOC STAFF, NO INFRACTION ISSUED. NO HALAL MEALS, NO PROGRAMS BOOKS OR MAGAZINES GIVEN TO 23/HOUR IN A CELL ENDURED BY PLAINTIFF AND NO CLEANING SUPPLIES TO KEEP CELL CLEAN AND PLAINTIFF IS ASTHMATIC SINCE CHILDHOOD.

AS AND FOR A 18TH CAUSE OF ACTION
UNDER NEW YORK STATE LAW

PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH AND EVERY PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES:

ALL THE AFOREMENTIONED ACTS OF THE DEFENDANTS NAMED HEREIN, DEPRIVED THE PLAINTIFF KWAIN THOMPSON OF RIGHTS GUARANTEED TO HIM BY THE NEW YORK STATE CONSTITUTION AND WERE IN VIOLATION OF THE LAWS OF NEW YORK STATE, AND WERE AFFECTED FOR ULTERIOR PURPOSES OF CAUSING PLAINTIFF KWAIN THOMPSON TO BE UNLAWFULLY DEPRIVED OF HIS LIBERTY AND CIVIL RIGHTS.

AS AND FOR A 19TH CAUSE OF ACTION
NEGLIGENT TRAINING AND SUPERVISION

PLAINTIFF KWAIN THOMPSON REPEATS, REITERATES AND REALLEGES EACH AND EVERY PARAGRAPHS OF THIS COMPLAINT AND FURTHER ALLEGES:

THE DEFENDANTS "CITY OF NEW YORK" FAILURE TO ADEQUATELY TRAIN, SUPERVISE DISCIPLINE OR IN ANYWAY CONTROL THE BEHAVIORS OF THE DEFENDANTS NAMED HEREIN THIS COMPLAINT, IN THE EXERCISE OF THEIR EMPLOYMENT FUNCTIONS, AND THE FAILURE TO ENFORCE THE LAWS OF THE STATE OF NEW YORK AND THE REGULATIONS OF THE DEFENDANTS "CITY" & DEPT OF CORR, IS EVIDENCE OF THE RECKLESS LACK OF CAUTIOUS REGARDS FOR THE RIGHTS OF THE PUBLIC INCLUDING PLAINTIFF KWAIN THOMPSON, FURTHER, THE DEFENDANTS EXHIBITED A LACK OF THAT DEGREE OF DUE CARE WHICH PRUDENT AND REASONABLE INDIVIDUALS WOULD SHOW.

THE FAILURE OF THE DEFENDANTS "CITY OF NEW YORK" TO TRAIN, SUPERVISE, DISCIPLINE OR IN ANY OTHER WAY CONTROL THE DEFENDANTS NAMED HEREIN, AND IN THE EXERCISE OF THEIR EMPLOYMENT FUNCTIONS AND THE FAILURE TO ENFORCE THE LAWS OF THE STATE OF NEW YORK AND THE REGULATIONS OF THE DEFENDANTS "CITY" WAS CARRIED OUT WILLFULLY, WANTONLY, MALICIOUSLY AND WITH SUCH RECKLESS DISREGARD FOR THE CONSEQUENCES AS TO DISPLAY A CONSCIOUS DISREGARD FOR THE DANGERS OF HARM AND INJURY TO THE CITIZENS OF NEW YORK. INCLUDING BUT NOT ; LIMITED TO THE PLAINTIFF KWAIN THOMPSON.

AN EXAMPLE OF THIS FAILURE BY DEFENDANTS "CITY" LOUIS MOLINA IS AS EXPLAINED AND FOLLOWED:

(a) 40 RCNY & 1-16(e)(1) STATES: CORRECTION OFFICERS ASSIGNED TO ENHANCED RESTRAINTS HOUSING UNITS SHALL RECEIVE (40) HOURS OF SPECIAL TRAINING DESIGNED TO ADDRESS THE UNIQUE CHARACTERISTICS OF SUCH HOUSING UNIT AND ITS INMATES. SUCH TRAINING SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, RECOGNITION AND UNDERSTANDING OF MENTAL ILLNESS AND DISTRESS, EFFECTIVE COMMUNICATION SKILLS AND CONFLICT DE-ESCALATION TECHNIQUES.

IT IS EVIDENT BY THE ALLEGATIONS WHICH ARE SUPPORTED BY NEW YORK NEWS CHANNELS AND NEWSPAPERS AND BY EXHIBITS HEREIN THAT THE DEFENDANTS NAMED HEREIN WERE NOT PROPERLY TRAINED IN THE AREA OF COURT-ORDERED HOUSING UNITS, RELIGIOUS FREEDOMS, RECOGNITION OF MENTAL ILLNESS AND MEDICAL NEEDS, BY THE DEFENDANTS "CITY" BECAUSE IF THEY WERE TRAINED PROPERLY THE ISSUES SUCH AS DISCREPANCIES OF WHETHER PLAINTIFF IS/WAS ENHANCED RESTRAINTS WOULD NOT HAVE OCCURRED. THE PLAINTIFF RIGHT TO POSSESS A QURAN AND EAT A HALAL MEAL, TO AFFORD RECREATION DAILY WITH EQUIPMENT TO EXERCISE, THE CLEANING SUPPLIES AND THE ADEQUATE MENTAL HEALTH CARE AND MEDICAL CARE, THE ACCESS TO THE 311 COMPLAINT LINE, THE 614 HOTLINE FOR MEDICAL BE ADDED TO PLAINTIFF PHONE LIST. PREA HOTLINE AS WELL.

NONE WOULD HAVE BEEN LACKING IN NO AREAS OF DOC POLICY IF PROPERLY TRAINED AND SUPERVISED, BUT MORE IMPORTANTLY DISCIPLINE IF THEY VIOLATE THE LAW.

AS FOR A 20TH CAUSE OF ACTION
RESPONDEAT SUPERIOR LIABILITY

PLAINTIFF KWAIN THOMPSON REPEATS, REITERATES AND REALLEGES EACH AND EVERY PARAGRAPH OF THIS COMPLAINT AND FURTHER ALLEGES:

DEFENDANT(S) "CITY" LOUIS MOLINA COMMISSIONER OF DOC, ASSISTANT COMMISSIONER OF DOC, ASSISTANT COMMISSIONER THOMAS GRIFFEN, DEPUTY WARDEN MILLER, ADW HENRY, WARDEN COLLINS, SECURITY C.O. MCNEIL GRVC, IS VICARIOUSLY LIABLE FOR THE ACTS OF THE EMPLOYEES AND AGENTS WHO WERE ACTING IN THE SCOPE OF THEIR EMPLOYMENT WHEN THEY ENGAGED IN THE WRONGFUL CONDUCT DESCRIBED HEREIN; SUCH AS THE FACTS AND ACTS AND FAILURES OF "CITY" LOUIS MOLINA ASSISTANT COMMISSIONER WHO WAS PRESENT ON 1/3/23 WITH CIB, DW MILLER AND THAT EACH OF THESE DEFENDANTS ENGAGED IN CONDUCT THAT CONSTITUTED A VIOLATION OF THE PLAINTIFF RIGHTS TO SOME DEGREE AS DESCRIBED HEREIN. IS VICARIOUSLY LIABLE FOR THE ACTS OF ITS EMPLOYEES AND AGENTS, SERVANTS WHO WERE ON DUTY AND ACTING IN THE SCOPE OF THEIR EMPLOYMENT WHEN THEY ENGAGED IN THE WRONGFUL CONDUCT, THE FAILURE OF THE DEFENDANTS, CAPTAIN LOPEZ SHIELD#462, CAPTAIN FLUKA, WARDEN COLLINS, CAPTAIN JOSEPH GRVC, SRT CAPTAIN #1, SRT CAPTAIN #3, SRT CAPTAIN#4, SRT OFFICERS #'S 102,120,182,74, 75,78,77,79,65,80,88,82,203,111,113,112, FEMALE OFFICER BETHEA WEST FACILITY SPRUNG 6, MALE BLK OFFICER RICHARDSON WEST FACILITY SPRUNG 6, SECURITY CAPTAIN ROLLINSON OR ROLLINS WEST FACILITY, VISIT OFFICER DANIELS WEST FACILITY SPRUNG 6, ANDERSON REC CAPTAIN WEST FACILITY, JAN/7/2023, ESU CAPTAIN RIVERA, ESU CAPTAIN 28, ESU OFFICER NAME UNKNOWN SHIELD#4190, CAPTAIN RIVERA SHIELD#1230, GRVC, SECURITY GRVC C.O. MCNIEL, GRVC ADW HENRY, CAPTAIN PALEMERO GRVC ON 1/27/23, C.O. RODRIGUEZ GRVC ON 1.27/23, CAPTAIN GUAN SHIELD#367, C.O. WOLOSIK GRVC ON 1/27/23, ASSISTANT COMMISS THOMAS GRIFFEN DOC,

CAPTAIN CARTER GRVC, CAPTAIN MATHIS SRT UNIT, C.O. KESSIA LIECTH GRVC LAW LIBRARY OFFICER, C.O. BRANCHE, NURSE BLOUNT., AND EACH OF THESE DEFENDANTS ENGAGED IN CONDUCT THAT VIOLATED THE PLAINTIFF RIGHTS WHILE ACTING UNDER THE SCOPE AND SUPERVISION OF DEFENDANTS "CITY" LOUIS MOLINA COMMISH OF THE DEPT OF CORR, THESE DEFENDANTS ARE VICARIOUSLY LIABLE FOR THE ACTS OF THE EMPLOYEES AND AGENTS WHO WERE ON DUTY AND ACTING IN THE SCOPE OF THIER EMPLOYMENT WHEN THEY ENGAGED IN WRONGFUL CONDUCT DESCRIBED HEREIN SUCH AS THE ACTS AND FAILURES OF EACH DEFENDANT NAMED HEREIN THIS COMPLAINT HOLDING A LOWER RANKING POSITION OTHER THAN WARDEN AND WORKING UNDER EACH OF THE DEFENDANTS "CITY" LOUIS MOLINA COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS RESPECTED COMMANDS OF RIKER'S ISLAND "GRVC" "WEST FACILITY"

AS AND FOR A 21ST CAUSE OF ACTION FOR INTENTIONAL
INFLICTIONS OF EMOYIONAL DISTRESSES

PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH AND EVERY PARAGRAPHS OF THIS COMPLAINT AND FURTHER ALLEGES

THE DEFENDANTS NAMED HEREIN AND THROUGHOUT THIS COMPLAINT DID WRONGFULLY ENGAGED IN CONDUCT WITH THE INTENTION TO INTENTIONALLY OF INFLECTING EMOTIONAL HARM AGAINST THE PLAINTIFF FOR THE PURPOSE OF RETALIATION, INTIMIDATION AND PREVENTING THE PLAINTIFF FROM CONTINUING CIVIL LITIGATION AGAINST COMMISSIONER OF THE DEPARTMENT OF CORRECTION LOUIS MOLINA, ADW HENRY WARDEN COLLINS, AND THAT THE DEFENDANTS ACTIONS DID CAUSED PLAINTIFF EMOTIONAL DISTRESS AND MENTAL DISTRESS AND SPIRITUAL DISTRESS, CAUSING PLAINTIFF THE NEED OF BEING PRESCRIBED A HIGHER DOSE OF PYSCH MEDS MENTAL HEALTH MEDICATION AND MULTIPLE MENTAL HEALTH REFEERRALS BEING GENERATED.

PLAINTIFF DID NOT CONSENT TO THE TREATMENT, TACTICS CONDUCT THAT THE DEFENDANT(S) ENGAGED IN THAT CAUSED SUCH DISTRESS. AND AS A RESULT PLAINTIFF DID SUFFER EMOTIONAL DISTRESS IN HAVING NIGHTMARES, HUNGER STRIKES, MIGRAINS, FULL BODY RASH AND BLISTERS AND MUCH MORE.

ALSO STATING A CLAIM FOR VICARIOUSLY LIABLE IN THIS CAUSE OF ACTION ABOVE FOR THE ACTIONS OF CORRECTIONS STAFF AND PERSONNEL AND THE FAILURES OF COMMISSIONER LOUIS MOLINA COMMISSIONER OF DEPT OF CORRECTIONS AND ADW HENRY AND WARDEN COLLINS FOR THE DEFENDANTS CONDUCT WHICH WAS WRONGFUL TO PLAINTIFF AS DESCRIBED IN PRECEDING PARAGRAPHS OF THIS COMPLAINT HEREIN; SUCH ACTS OF AND FAILURES OF EACH DEFENDANT NAMED HEREIN THIS COMPLAINT HOLDING A LOWER RANKING POSITION THAN WARDEN AND WORKING UNDER EACH DEFENDANTS RESPECTED COMMANDS OVER GRVC AND WEST FACILITY. AS AND FOR A 22ND CAUSE OF ACTION FOR INTENTIONAL INFLICTION INFLICTION OF EMOTIONAL DISTRESS AND PAIN AND SUFFERING

PLAINTIFF KWAIN THOMPSON, REPEATS, REITERATES AND REALLEGES EACH AND EVERY PARAGRAPHS OF THIS COMPLAINT AND FURTHER ALLEGES: THAT ON 2/7/23 PLAINTIFF DID NOT GET HIS PRESCRIBED BLOOD PRESSURE MEDICATION UNTIL 2:30PM WHICH IS SUPPOSE TO BE DONE AS A MORNING MEDICATION. SINCE PLAINTIFF HAS BEEN PING PONG BACK AND FORTH BETWEEN WEST FACILITY AND GRVC IN FULL RETALIATION OF CORRECTIONAL STAFF AT RIKER;S ISALND. MEDICAL STAFF WAS ALERTED THAT PLAINTIFF WAS BACK IN GRVC AND TOLD TO NEVER GIVE PLAINTIFF HIS MORNING MEDICATION ON TIME. THIS TACTIC WEAKENS THE PLAINTIFF MENTALLY AND PHYSICALLY ALL TO TRY AND GET PLAINTIFF TO DROP LAWSUITS AGAINST STAFF OF THE DEPT OF CORR, AND ON 2/7/23 AT 5PM PLAINTIFF WAS FORCED TO PISS IN A BAG BECAUSE OFFICERS WAS TOLD DON'T LET PLAINTIFF USE THE TOILET IN HIS WON CELL ITS SO HUMILIATING THAT THEY TREAT POLAINTIFF WORSET ~~XXXXXXXX~~ THAN A DOG. SEE GENTEC FOOTAGE FOR 2/7/23. THIS CUSTOM AND POLICY OF URINATING AND DEFICATING INSIDE A PLASTIC BAG WHEN UTILIZING CELL #1 IS SUB - HUMAN AND BORE THE BRUNT OF PLAINTIFF]SUICIDAL TENDENCIES. THE DEFENDANTS DID WILLINGLY AND KNOWINGLY ENGAGED IN EXTREME AND OUTRAGEOUS CONDUCT THAT'S SHOCKING TO THE CONSCIOUS. WHICH CAUSED THE PLAINTIFF KWAIN THOMPSON MENTAL AND EMOTIONAL DISTRESS, TO THE EXTENT THAT CORRECTIONAL PERSONNEL BELIEVED THE NEED TO SUBMIT


NUMEROUS MENTAL HEALTH REFFERALS DUE TO THE NOTICE OF THE REACTIONS OF PLAINTIFF FROM THE CONDUCT OF THE DEFENDANTS NAMED HEREIN; AND NOTED ON SUCH MENTAL HEALTH FORMS THAT WAS SUBMITTED: IT IS CLEAR FROM THE ALLEGED CONDUCT HEREIN THE COMPLAINT THAT THE DEFENDANT(S) ACTIONS WAS INTENTIONAL AND THE DIRECT PROXIMATE CAUSE OF THE PLAINTIFF MENTAL AND AND EMOTIONAL AND PHYSICAL DISTRESS AND SPIRITUAL DISTRESS STATED HEREIN;

AT ALL TIMES MENTIONED HEREIN THE PLAINTIFF KWAIN THOMPSON WAS NOT NEGLIGENT OR CONSENT TO THE CONDUCT THAT CAUSED SAID INJURIES MENTIONED HEREIN.

AS A RESULT OF THEX FOREGOING PLAINTIFF KWAIN THOMPSON IS ENTITLED TO ONE MILLION DOLLARS (1,000,000) IN COMPENSATORY DAMAGES AND IS FURTHER ENTITLED TO PUNITIVE DAMAGES IN THE SUM OF TWO MILLION DOLLRS U.S(2,000,000).

WHEREFORE, PLAINTIFF KWAIN THOMPSON DEMANDS JUDGEMENT AGAINST THE DEFENDANTS NAMED HEREIN JOINTLY AND= SEVERALLY INDIVIDUAL AND OFFCIAL CAPACITIES FOR A TOTAL OF THREE MILLION DOLLARS (3,000,000) U.S FOR BOTH COMPENSATORY AND PUNITIVE DAMAGES PLUS REASONABLE FILING FEES AND COPY FEES.

DATED FEBUARY/7/2023



KWAIN THOMPSON
G.R.V.C

PRO-SE

XX

09-09 HAZEN STREET "RIKER'S"
EAST ELMHURST, NY, 11370

EXHIBIT -A

REVIEW OF C.M.C DESIGNATION

45/21

A FAKE DOCUMENT THAT NO INMATE CAN APPEAL EVEN IF THEY WROTE THE
APPEAL ADDRESS ON THIS FORM.

HOUSING UNIT SAYS GP
BUT PLAINTIFF IS IN 1/A HIGH SECURITY
UNIT, CHECK LOG BOOK

ISSUED ON 2/7/23.

CORRECTION DEPARTMENT CITY OF NEW YORK	OFFICE OF THE ASSISTANT CHIEF OF SECURITY	FORM OD/SM2 REV. 9/27/95
REVIEW OF C.M.C. DESIGNATION		45/21
SECTION A - INMATE INFORMATION		
LAST NAME THOMPSON	FIRST NAME KWAINE	ALIAS
BOOK & CASE NUMBER 349-19-01450	N.Y.S.I.D. NUMBER 07289661Q	PRESENT FACILITY GRVC
TYPE OF HOUSING GP	DATE OF C.M.C. DESIGNATION 8/31/2021 12:00:00 AM	
SECTION B- REASON(S) FOR C.M.C.		
INMATE IS A COURT ORDERED LOCKDOWN		
SECTION C- NOTICE TO INMATE		
THIS IS TO INFORM YOU THAT:		
<p>1. YOUR CASE WILL BE REVIEWED NOT LATER THAT FOUR (4) WEEKS FOR DETENTION INMATES OR EIGHT (8) WEEKS FOR SENTENCED INMATES FROM THE DATE OF THIS DETERMINATION. AT THAT TIME, YOU WILL RECEIVE A WRITTEN NOTIFICATION OF THAT DETERMINATION.</p> <p>2. YOU MAY APPEAL THE DEPARTMENTS'S DECISION TO THE EXECUTIVE OFFICER OF O.S.I.U. YOUR APPEAL MUST BE SUBMITTED IN WRITING VIA THE UNITED STATES MAIL, ADDRESSED IN THE FOLLOWING MANNER:</p> <p style="text-align: center;">EXECUTIVE OFFICER OF O. S. I. U. 11-15 HAZEN STREET E. ELMHURST, NY 11370</p> <p>3. YOU WILL RECEIVE A RESPONSE TO YOUR APPEAL REQUEST WITHIN:</p> <p style="text-align: center;">SEVEN (7) DAYS EXCLUDING WEEKENDS AND HOLIDAYS.</p>		
I CERTIFY THAT I HAVE RECEIVED A COPY OF THIS NOTICE AT <div style="text-align: center;"> 1948 HRS. ON 2/7/23 TIME DATE </div>		
WITNESSED BY (SUPERVISOR) EMPLOYEE'S SIGNATURE <i>Capt. Merenych #1826</i>	INMATES'S SIGNATURE	
SECTION D - O.S. I. U. RECOMMENDATION		
RECOMMENDED BY CAPTAIN O.S.I.U. <i>[Signature]</i>	DATE OF RECOMMENDATION February 6, 2023	RECOMMENDATION : <input checked="" type="checkbox"/> CONTINUE DESIGNATION <input type="checkbox"/> DISCONTINUE
SECTION E - REVIEW		
REVIEWED BY WARDEN OF CLASSIFICATION/CENTRAL INTAKE/WEST FACILITY	DATE OF REVIEW February 6, 2023	DISPOSITION : <input checked="" type="checkbox"/> CONTINUE DESIGNATION <input type="checkbox"/> DISCONTINUE

DISTRIBUTION

- | | |
|------------------------|----------------------------|
| 1. CHIEF OF DEPARTMENT | 4. HOLDING FACILITY |
| 2. CHIEF OF SECURITY | 5. INMATE'S C.M.C. RECORDS |
| 3. O.S.I.U. | 6. SERVICE TO THE INMATE |

Witness: Sanchez C.O. 13153

EXHIBIT-B

DISPOSITION FORM FROM GRIEVANCE OFFICE IN GRVC 2/8/23

SAYING CAN'T TELL OCGS PREA COMPLAINT WHEN DOC POLICY STATES
UNDER FEDERAL LAW THAT PREA COMPLAINTS CAN BE TAKEN BY ALL DOC
STAFF INCLUDING GREIVANCE "OCGS"



	CITY OF NEW YORK - DEPARTMENT OF CORRECTION			
	OFFICE OF CONSTITUENT AND GRIEVANCE SERVICES			Form.: 7102R Eff.: 8/23/19 Ref.: Dir. 3376R-A
	DISPOSITION FORM			
Grievance Reference #: 624671		Date Filed: 01/31/2023	Facility: GRVC - 1A	
Inmate Name: Kwaine Thompson	Book and Case#: 3491901450 NYSID# 07289661Q		Category: Sexual Assault Abuse	
<p>From OCGS Inmate Statement Form, print or type short description of grievance:</p> <p>Officer Branche has sexual harassed me in pass. There is a PREA separation. She is also in my lawsuit she is now retaliating.</p>				
<p>Action Requested by Inmate:</p> <p>Please remove her from around me before I have mental break down.</p>				
STEP 1: FORMAL RESOLUTION				
<p>Check one box: <input checked="" type="checkbox"/> Grievance <input type="checkbox"/> Submission is not subjected to the Grievance Process</p> <p>The Office Of Constituent and Grievance Services proposes to formally resolve your grievance as follows below. Alternatively, OCGS staff shall provide an explanation for why the submission is not subject to the OCGS process. Grievances not subject to the Grievance Process cannot be appealed.</p> <p>OCGS informed Mr. Thompson. Kwaine that as per DOC Directive 3376R-A.II.5-6 "Sexual Assault/Abuse Allegation" submissions do not fall under the purview of OCGS and that his complaints/concerns have been forwarded to the (Sexual)Investigation Division for investigation/resolution.</p>				
CHECK THE APPROPRIATE BOX BELOW AND PROVIDE YOUR SIGNATURE				
(Failure to sign forms will forgo your right to appeal the proposed resolution.)				
<input checked="" type="checkbox"/> Yes, I accept the resolution <input type="checkbox"/> No <input type="checkbox"/> I request to appeal the resolution of this grievance to the Commanding officer.				
<i>Note: If you appeal, the grievance staff can request for a preliminary based review if they feel the complaint was thoroughly investigated and addressed, prior to forwarding to the Commanding Officer. You will receive the outcome of this review within (3) business days to inform you the appeal will proceed or you exhausted administrative remedies. Grievance not subject to the Grievance Process cannot be appealed.</i>				
Inmate's Signature:		Date: 2/8/23		
<input type="checkbox"/> Preliminary Review Requested				
Grievance Coordinator/Officer Signature: Mr. Parris		Date: 01/31/2023		

EXHIBIT-C

DISPOSITION FORM RETURNED FROM GRIEVANCE OFFICE SUBSTANTIATING THAT
THERE'S NO RECREATION EQUIPMENT IN CAGES OUTSIDE IN YARD FOR UNIT 1/A
BUT OTHER HOUSING UNITS IN THIS FACILITY ARE AFFORDED THE REC EQUIPMENT.

ATTACHMENT - C



 CITY OF NEW YORK - DEPARTMENT OF CORRECTION 	
OFFICE OF CONSTITUENT AND GRIEVANCE SERVICES	
DISPOSITION FORM	
Grievance Reference #: 624668	Date Filed: 01/31/2023
Facility: GRVC - 1A	
Inmate Name: Thompson, Kwaine	Book and Case#: 3491901450 NYSID# 07289661Q
Category: Recreation	
From OCGS Inmate Statement Form, print or type short description of grievance: Rec cage in 1A is not in accordance with recreation policy in 40(s) 1-06 (d) (1) We have not be provided equipment.	
Action Requested by Inmate: Place equipment in 1A Rec	
STEP 1: FORMAL RESOLUTION	
Check one box: <input checked="" type="checkbox"/> Grievance <input type="checkbox"/> Submission is not subjected to the Grievance Process	
The Office Of Constituent and Grievance Services proposes to formally resolve your grievance as follows below. Alternatively, OCGS staff shall provide an explanation for why the submission is not subject to the OCGS process. Grievances not subject to the Grievance Process cannot be appealed.	
OCGS investigated and it has been revealed that housing area 1A has no equipment in the recreation yard. Your claim is substantiated and was forwarded to the Warden's Office for investigation/resolution	
CHECK THE APPROPRIATE BOX BELOW AND PROVIDE YOUR SIGNATURE <i>(Failure to sign forms will forgo your right to appeal the proposed resolution.)</i>	
<input type="checkbox"/> Yes, I accept the resolution <input type="checkbox"/> No <input type="checkbox"/> I request to appeal the resolution of this grievance to the Commanding officer.	
<small>Note: If you appeal, the grievance staff can request for a preliminary based review if they feel the complaint was thoroughly investigated and addressed, prior to forwarding to the Commanding Officer. You will receive the outcome of this review within (3) business days to inform you the appeal will proceed or you exhausted administrative remedies. Grievance not subject to the Grievance Process cannot be appealed.</small>	
Inmate's Signature:	Date: 2/8/23
<input type="checkbox"/> Preliminary Review Requested	
Grievance Coordinator/Officer Signature: Mr. Parris	Date: 01/31/2023

EXHIBIT-D

O.S.I.U OPERATION SECURITY INTEL UNIT CLASSIFICATION SHEET

PLAINTIFF STATES THIS IS HOW HE WAS CLAASIFIED WHEN HOUSED IN SPRUNG 6 UNIT AT WEST FACILITY. THIS FRAUDELENT DOCUMENT WAS PLACED ON HIS CELL DOOR CELL # 614, "HEADING STATES" (CMC#45/21 COURT ORDERED LOCKDOWN I.C.R) I.C.R. STANDS FOR INTENDED CONTRABAND RECIEVER. THIS FRAUD INFORMATION FOR EVERY OFFICER TO SEE OUTSIDE PLAINTIFF CELL ON DOOR, CAUSE PLAINTIFF TO BE TREATED LIKE AN INMATE WHO ANY MINUTE MIGHT BE IN POSSESION OF CONTRABAND. PLAINTIFF WAS SUBJECTED TO EXCESSIVE SEARCHES DUE TO THIS FRAUDELENT MISCLASSIFICATION DONE BY DOC ADW HENRY C.O. MCNIEL, LOUIS MOLINA COMMISSIONER OF DEPT OF CORR', PLAINTIFF NEVER HAD A HEARING LABELING HIM I.C.R A DIRECT VIOLATION OF HIS DUE PROCESS AS AN AMERICAN. THIS LABELING OF PLAINTIFF BEING I.C.R HAD PLACE HIM UNDER EXTREME PREJUDICE. NO HEARING, EXTREME SCRUTINY..



OPERATIONS SECURITY INTELLIGENCE UNIT



CMC SYNOPSIS

COD #:	INCIDENT LOCATION:	INCIDENT DATE:	AREA:	INCIDENT TYPE
--------	--------------------	----------------	-------	---------------

COD NARRATIVE:

CMC #45/21
COURT ORDERED LOCKDOWN
ICR

INMATE: THOMPSON, KWAINÉ

B&C #: 3491901450

NYSID #: 07289661Q

DOB: 30-DEC-74

SRG AFFILIATION: N/A

SET (IF ANY): N/A

SRG RANK (IF ANY): N/A

AKA/NICKNAME: N/A

ICR: YES

RED ID: NO

SEPARATION ORDERS: N/A

RESTRAINT DETERMINATION

☒ CMC RESTRAINTS/ BLACK BOX

Security mitts, handcuffs and waist chain shall be applied during movement TO and FROM all service areas or place of escort

Security mitts, handcuffs and waist chain shall be applied during movement TO and FROM all service areas or place of escort and during the following activity: _____

☒ Leg irons with above

EXHIBIT-E

CORRECTION HEALTH SERVICES PATIENT'S BILL OF RIGHTS

#1 GET CARE FOR HEALTH, MENTAL HEALTH, AND SUBSTANCE USE CONDITIONS.

PLAINTIFF HAS NOT BEEN GETTING CARE FOR HEALTH HIS MEDS IS ALWAYS OFF SCHEDULE WHICH MAKES HIS INTERNAL ORGANS FLUXIATE. PLAINTIFF IS DEAF AND IT TOOK A FULL YR JUST TO SEE AN AUDIOLIST, THE SUFFERING HE WENT THROUGH NOT BEING ABLE TO HEAR. PLAINTIFF HAD SEVERE VISION LOSS, IT TOOK OVER 9 MONTHGS JUST TO SEE THE EYE DOCTOR AND ANOTHER 3 MONTHS TO GET GLASSES. HE SUFFERED NOT BE ABLE TO SEE FOR A YR.

#8 PRIVACY WHILE IN THE CLINIC TO THE EXTENT POSSIBLE AND CONFIDENTIALITY OF YOUR MEDICAL INFORMATION EXCEPT AS AUTHORIZED BY LAW.

PLAINTIFF STATES THAT AT THE WEST FACILITY HE WAS VIDEO RECORDING TALKING WITH NURSES AND DOCTORS IN SPRUNG 6, SEE; GENTEC FROM DEC/2/22 TO JAN/16/23 AND FROM JAIL GRVC JAN/16/23 TO PRESENT DAY.

THIS INTRUSION ON PLAINTIFF BILL OF RIGHTS TO HEALTH HAS BEEN TOTALLY VIOLATED BY DOC OFFICERS AND STAFF. SEE GENTEC FOOTAGE FROM ALL DATES ABOVE.



Correctional Health Services

PATIENT'S BILL OF RIGHTS

As a patient, you have many rights no matter your: ***Age, Color, Race, Sex, Religion, National Origin, Sexual Orientation, Disability, Criminal Charges, Marital Status, or Citizenship Status.*** You have the right to:

1. Get care for health, mental health, and substance use conditions.
2. Know the services available at the clinic and the names of the people providing your care.
3. Get information about your health, mental health and substance use concerns from your health care provider. The information should be given in a way you can understand.
4. Get reproductive and sexual health services.
5. Get information you need to before you consent to any procedure or treatment. The information you get should include: what will be done, why, what the risks will be, and if there are other kinds of treatment.
6. Refuse assessment and/or treatment and be told what effect this may have on your health. However, if you refuse the entire intake history and physical exam for most communicable diseases you will be put in medical isolation to make sure that others don't get sick. **Medical isolation is NOT punitive segregation.**
7. Refuse to take part in any research. If you refuse to participate in research, treatment you would normally receive in the clinic will not be affected.
8. Privacy while in the clinic to the extent possible and confidentiality of your medical information except as authorized by law.
9. Request a copy of your medical records following your release by calling Correctional Health Services at 347-774-7000.

EXHIBIT-F

THIS IS AN AFFADAVIT WRITTEN BY RICKY TORRES BOOK & CASE # 141-20-01935
DATE OF BIRTH 2/14/2021. MENTAL HEALTH ISSUES AROSE FOR RICKY TORRES AND
WAS WITNESS BY PLAINTIFF KWAIN THOMSON AT THE (WEST FACILITY SPRUNG 6)
AND (GRVC HOUSING UNIT 1/A) A 21YR OLD IS NOT TO BE HELD IN 23/HOUR LOCK-
DOWN UNDER NO OCCASSION, ITS VIOLATES NEW YORK STATE LAW AND UNITED STATES
LAW. THIS IS THE BRAZEN LACK OF RESPECT THESE DEFENDANTS HAS FOR LAW.
AND ALL DEFENDANT(S) SHALL BE HELD ACCOUNTABLE FOR THIER ACTIONS, SO MANY
NIGHTS I HAD TO SCREAM AND YELL TO RICKY TORRES JUST SO HE WOULD NOT HANG
HIMSELF IN CELL, AND PLAINTIFF HAD TO PROMISE TORRES JUSTICE WILL BE SERVED.

RICKY TORRES (GRVC HOUSING UNIT 1/A #7CELL) 2/7/23

D.O.B 2/14/01

1412001935

I'M A 21YR OLD LATINO BEING ABUSE IN THE CONFINES OF THE DEPARTMENT OF CORRECTION. I'M WRITING THIS AFFADAVIT ON BEHALF THAT MR. KWAIN THOMPSON WHO HAS PENDING CIVIL SUITS AGAINST MY ABUSER HERE ON RIKER'S ISLAND. I'M IN A CELL 23/HOURS OUT THE DAY. THIS GOES AGAINST STATE LAW WHERE THERE ARE NOT ALLOWED TO PLACE 16YR TO 21YR OLD IN THE BOX. YET I'M HERE. THEREX IS A NEW LAW CALL THE HALT ACT WHICH SPECIFFICALLY STATES NO ONE CAN BE PLACED ON 23/HOURS IN A CELL. THIS LAW WAS PASSED IN NEW YORK STATE 2 YRS AGO 2020. AND DOC HAS 6 INMATES ON THIS UNIT. MR THOMPSON IS SCREAMING EVERYDAY ON HIS CELL DOOR TO BE GIVEN HIS MEDS AT SCHEDULE TIME. BUT THEY ALWAYS BRING HIM LATE. I HEAR THOMPSON YELLING AND MOANING IN AGONY BECAUSE OF HIS MEDICATIONS. THOMPSON ALSO BE YELLING AND SCREAMING ABOUT MICE AND ROACHES RUNNING ~~XXONE~~ AROUND HIS CELL AND BITING HIS SKIN WHILE HE SLEEP. WE ARE NOT ALLOWED TO SWEEP OR USE A DUSTPAN OR CLEAN OUR TOILETS WITH PROPER SCRUB BRUSH, PLZ SEE GENTEC SURVEILLANCE FROM JAN/16/23 TO PRESENT DAY. WE ARE LIVING IN FILTH, THOMPSON HAS ASTHMA, HIS YELLING AND SCREAMING BRINGS ME FEAR AND I ATTEMPTED SUICIDES MANY TIMES BECAUSE I DON'T THINK I WILL LIVE THROUGH THIS ORDEAL. PLZ MAKE A CHAANGE TO RIKERS OR DO WHAT THE NEWSPAPERS SAY AND SHUT RIKER'S ISALND DOWN.


RICKY TORRES

EXHIBIT-G

THIS IS 3 DISPOSITIONS FROMS FROM OFFICE OF CONSTITUENT AND SERVICES SHOWING HOW PLAINTIFF WAS DEPRIVE LAW LIBRARY ACCESS TO TALK TO LEGAL COORDINATOR LIKE OTHER INMATES IN DOC CUSATODY. AS WELL AS HAVING NO ACCES TO CLEAN SHEETS AND TOWELS AT THE WEST FACILITY,SEE; GENTEC AND CHECK LOGBOOKS FROM WEST FACILITY SPRUNG6. AND THE MANY LOST OF RECREATION COMPLAINTS WHICH KEEPS THE PLAINTIFF KWAIN THOMPSON CONFINED TO A CELL FOR 24/HOURS OUT THE DAY WITH NO PROGRAMS OR READING MATERIAL.

ALSO GRIEVANCEK FOR BEING NOT ABLE TO CALL PREA PRISON RAPE ELIMINATION ACT, WHY DEPT KNOWS I'M A VUNERABLE INMAT. ALSO BEING WITHHELD FROM CALLING MY ATTORNEY'S, SECURITY CAME TO MY CELL WHEN THE PHONE IS OFF AT 8:45PM I WAS NOT ALLOWED TO TALK TO MY ATTORNEY DUE TO RETALIATION FROM SECURITY TEAM OFFICER MCNIEL, FIRE WAS SET ON 10/27/22 AND I WAS DENIED MEDICAL. NO YARD/RECREATION AND I HAVE MENTAL HEALTH ISSUES 24HOURS IN A CELL. DIRECTIVE ON ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARRASMENT AND ON PAGE 41 OF TOTAL 44 PAGES IT SPECIFICALLY STATES THE PCM A DESIGNATED STAFF WILL MONITORK RETAILIATION AGAINST INMATES FOR REPORTING SEXUAL ABUSE. THIS PCM MONITOR DOES NOT EXIST ON RIKERS, NO ONE EVER CAME AND CHECK ON PLAINTIFF TO SEE IF HE'S BEING RETAILIATED AGAINST SINCE FILING ABUSE. A DIRECT CHARGE FOR DEFENDANTS WHO FAILED TO ADHERE TO THIS POLICY. AND AN INFRACTION WAS GENERATE AGAINST PLAINTIFF ON ~~XXXXXX~~ AND PLAINTIFF WAS PLACED IN PUNITIVE CPSU ON 7/16/19 WHEN HE WAS NEVER SUPPOSE TO BE THERE BECAUSE HE'S A COURT ORDER LOCKDOWN INMATE.... ALSO PLAINTIFF WAS PLACED IN CMC SET-UP ON /10/9/21 WHEN PLAINTIFF NEVER HAD A HEARING TO BE PLACED AS A CMC INMATE AND WAS ASSAULTED REAPEATEDLY BY DOC OFFICERS.



CORRECTION DEPARTMENT CITY OF NEW YORK

ATTACHMENT
A



REPORT AND NOTICE OF INFRACTION

Form: 6500A
Rev.: 08/04/15
Ref.: Dir. #6500R-C

Infraction #:	Institution: RNDC	Date of Incident: 10/09/21	Time Infraction Written: 0150hrs	Date of Report: 10/09/21
Inmate Name (Last, First):	Thompson Kwaine	B&C Sentence #: 349-19-01450	NYSID #: 07289661Q	
Location of Incident (Be Specific):	Intake Sallyport	Housing Area: M3LS	Approximate Time of Incident: 0125 Hrs.	
Charge #	Offense	Charge #	Offense	
109.10	Disrespect for Staff			
120.10	Refusal To Obey a Direct Order			
117.10	Inmate Movement			
Reporting Official (Print Name, Rank and Shield #):	Reporting Official (Signature): <i>Bartholomew Small</i>			
Details of Incident (Include details as to How, When and Where Infraction was Committed):				

On Saturday, October 9th, 2021, I CO Bartholomew-Small #14083 assigned to the Intake D Post on the 2300X0731 tour, Upon arrival to the intake after escorting Inmate Thompson Kwaine B/C#349-19-01450 from housing area M3LS, while entering the sallyport to be transported to GRVC, Inmate Thompson was notified that he was to be placed in CMC setup which consisted of waist chain, handcuffs, institutional mits, and leg restraints. Inmate Thompson replied he would not put on any handcuff. Captain Pringle #1631 utilized IPC skill to get said inmate to place on the CMC setup which he continued to refuse. Additional direct orders were given by this writer to put on the CMC set and continued to refuse. Additional final direct order was given to outstretch his hands in order for the CMC setup to be applied and warned that chemical agent will be used. After multiple attempts without compliance from said inmate, this writer utilized one (2) second burst of chemical agent to the facial area of inmate Thompson, and he immediately dropped to the floor in the sallyport. After multiple direct given to place his hands behind his back to be cuffed and finally he complied. CO Melville #18652 along with this writer assisted inmate Thompson to his feet and escorted said inmate to the search room to be decontamination. After decontamination, inmate Thompson refused to walk to the clinic for medical treatment and gurney was summoned. Inmate Thompson was then assisted on to the gurney with other intake staff and escorted to the clinic for medical attention. Inmate Thompson was placed in the holding pen terminating the incident.

You are entitled to a hearing for this infraction no sooner than twenty-four (24) hours after you are served with this notice. If you are a sentenced inmate and you commit an infraction within twenty-four (24) hours prior to your discharge, and have not reached your maximum sentence expiration date, you may be served with charges and held for a hearing. The Department will make every effort to hold this hearing within three (3) business days of the service of this notice. This three (3) business day period excludes the day you are served, weekends, holidays, days you go to court (whether in person or via teleconference), days you are hospitalized or at a hospital attending a clinic, days you leave the facility for an attorney interview, days you are unavailable because you are transferred to another facility and days you are unavailable due to your absence from the facility for any purpose. The three (3) business day period is automatically extended by one (1) business day if you are transferred to another facility prior to your hearing (unless you are a Pre-Hearing Detention Inmate). Commencement of a hearing after three (3) business days is at the discretion of the Adjudication Captain and is not barred by Department rules.

At your hearing you have the following rights:

1. Right to appear personally, unless you waive your right to appear, refuse to attend the hearing or appear at the hearing and become disruptive.
2. Right to make statements. If you choose to remain silent, your silence cannot be used against you. If you make a statement, such statement cannot be used in a subsequent criminal trial unless you have been given a Miranda Warning and then voluntarily testify.
3. Right to present material evidence.
4. Right to present witnesses.
5. Right to the assistance of a Hearing Facilitator.
6. Right to an interpreter if you cannot communicate well enough in English.
7. Right to appeal.

Within twenty-four hours of the Adjudication Captain reaching a decision of guilty, you will receive a copy of the "NOTICE OF DISCIPLINARY HEARING DISPOSITION" form informing you of the violation(s) you are found guilty of, the basis for that finding, the evidence relied upon and the penalty to be imposed. The following penalties are the maximum which may be imposed individually or in any combination:

1. Reprimand.
2. Loss of privileges.
3. Loss of good time if you are a sentenced inmate.
4. Punitive segregation for up to thirty (30) days per each applicable individual charge.
5. Restitution for intentionally damaging or destroying City property.

A twenty five (\$25) dollar disciplinary surcharge will be imposed on all inmates found guilty of a Grade I or Grade II offense. You have the right to appeal an adverse decision rendered by the Adjudication Captain.

Interpreter Requested: ☐ Yes (If yes, include what language) ☒ No

Hearing Facilitator Requested: ☐ Yes ☒ No
 Witness(es) Requested: ☐ Yes (If yes, include witness(es) Name, Book and Case Number (if inmate) or Shield/ID (if staff) and Location (if inmate) or Post (if staff)) ☒ No

Witness (Print Name): _____ B&C Number: _____ Location: _____

Witness (Print Name): _____ B&C Number: _____ Location: _____

Witness (Print Name): _____ B&C Number: _____ Location: _____

Witness (Print Name): _____ Shield/ID Number: _____ Post: _____

I certify that I received _____ Signature of Inmate: _____ Date: **10/14/21** Time: **0825hr**
 a copy of this notice: _____



Served by (Print Name, Rank and Shield #): *Green CO21362* Signature of Server: *562*

Refused to Sign for Notice: ☐ Yes ☒ No Witnessed By: *P.9*

DISTRIBUTION: (SINGLE SIDED) COPY - NOTICE TO INMATE



(DOUBLE SIDED WITH FORM 6500B) COPY TO FACILITY

ATTACHMENT B

		CORRECTION DEPARTMENT CITY OF NEW YORK			
PRE-HEARING DETENTION LOCK-DOWN CLEARANCE REPORT				Form: 4501B Rev.: 08/15 Ref.: Dir. #4501R-C	
SECTION I - TO BE COMPLETED BY TOUR COMMANDER					
A) To: Mental Health Unit Chief, _____			GRYC Facility _____		
B) Inmate Information:					
Last Name: Thompson		First Name: Kwaine		Book & Case #: 349-19-01450	
NYSID #: 07289661Q		Facility: GRVC		Housing Area #: 15 A	
C) The above named inmate has been identified for Pre-Hearing Detention (PHD) and has been charged with violation of institutional or departmental rules:					
• An I.I.S. inquiry indicated that the inmate is known to Mental Health. <input checked="" type="checkbox"/>					
• The pending lockdown of the inmate into PHD is less than five (5) days of the inmate's date of admission into DOC custody <input type="checkbox"/>					
Please submit a summary of your findings and recommendations regarding the inmate's placement in Lock-down status as well as for the disposition of the disciplinary hearing to the Tour Commander.					
D) Prepared by: Carter		Signature _____		ADW 94 7/16/2019 Rank/Title Shield/ID # Date	
SECTION II - TO BE COMPLETED BY MENTAL HEALTH STAFF					
A) Based on Mental Health staff review, the inmate:					
<input checked="" type="checkbox"/> is known to Mental Health and may be placed in lock-down status in:					
<input checked="" type="checkbox"/> Punitive Segregation Unit <input type="checkbox"/> A Restricted Housing Unit (RHU)					
<input type="checkbox"/> is to be committed to a psychiatric hospital.					
<input type="checkbox"/> is known to Mental Health staff and may not be placed in lock-down status.					
B) Recommendations to Adjudication Captain:					
1. <input type="checkbox"/> Suspend disciplinary hearing until _____ pending further evaluation of this inmate's mental status. (May not exceed seven (7) days from date of notification by DOC staff).					
2. Proceed with disciplinary process, but take the following precautions:					
<input type="checkbox"/> If found guilty, Inmate may only be housed in the Restricted Housing Unit (RHU).					
<input type="checkbox"/> Other _____					
3. <input type="checkbox"/> A representative of the Mental Health Staff wishes to attend the hearing.					
4. <input checked="" type="checkbox"/> Proceed with disciplinary process. No special precautions are required.					
C) Additional Comments:					
<i>Inmate is cleared for CRU.</i>					

D) Prepared by: <i>Ruth Campbell</i>					
Print Name:		Signature: <i>[Signature]</i>		Date: 7-16-19	
Distribution:					
Original: Punitive Segregation Facility Copies: Deputy Warden for Security (Facility of occurrence) Operations Security Intelligence Unit (OSIU) Adjudication Captain Inmate's Legal Folder Mental Health Office					

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 41 OF 44 PAGES	



VI. PROCEDURES (Cont.)

4. The agency may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

N. PROTECTION AGAINST RETALIATION

1. The PCM shall be the designated staff who monitors retaliation against inmates for reporting sexual abuse. Multiple protection measures, to include housing changes, staff removal, and emotional support services, will be employed to protect inmates. Form PREA-4, "Sexual Abuse Retaliation Monitoring Form" (Attachment E) shall be used for such purposes.
2. For at least ninety (90) days, the PCM or designee shall monitor the conduct and treatment of any staff or inmate who reported sexual abuse to see if there are any changes that may suggest possible retaliation by other staff or inmates and promptly remedy any such retaliation. Any and all monitoring shall include periodic in-person status checks.
3. The PCM or designee shall continue monitoring beyond ninety (90) days if the initial monitoring indicates a continuing need.
4. Items the PCM or designee shall monitor include:
 - a. Disciplinary Reports;
 - b. Grievances;
 - c. Housing or program changes; and
 - d. Negative performance reviews or reassignments of staff.
5. If any other individual who cooperates with an investigation expresses a fear of retaliation, the Department shall take appropriate measures to protect that individual against retaliation.
6. The Department's obligation to monitor shall terminate if the Department determines that the allegation is unfounded.

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 42 OF 44 PAGES	

VI. PROCEDURES (Cont.)**O. INMATE FOIL REQUESTS**

1. An inmate or his/her attorney may submit a Freedom of Information Law (FOIL) request to the Legal Division FOIL Officer to review the investigation report.
2. The Department FOIL Officer shall review the report and withhold the report or portions thereof in accordance with the New York Public Officers Law Article 6, or any successor legislation, or any other relevant local, state, or federal statutes. To the extent there are any redactions, a redacted version of the report, along with a copy of the original report, shall be maintained by the FOIL Officer.

P. COORDINATED RESPONSE

Each facility shall follow their written coordinated response plan that outlines the steps to take in the event of a sexual abuse incident. In such cases, Form PREA-6, "Coordinated Response Plan Form" (Attachment G), shall be used.



Q. STAFFING PLAN

The Department shall ensure that each facility develops, documents, and makes its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse.

VII. REFERENCES

- A. Directive 1008, "Departmental Screenings," dated 1/11/17.
- B. Directive 3376R-A, "Inmate Grievance Procedures," dated 12/10/18.
- C. Directive 3750, "Inmate Orientation," dated 7/11/06.
- D. Directive 4498, "Transgender Housing Unit," dated 12/03/14.
- E. Directive 4508R-E, "Control of and Search for Contraband," dated 5/15/09.
- F. Directive 5000R-A, "Reporting Unusual Incidents," dated 11/19/04.
- G. Directive 6007R-A, "Protective Custody," dated 8/27/10.

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 43 OF 44 PAGES	

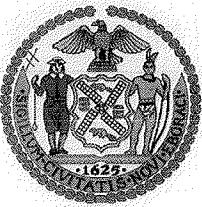
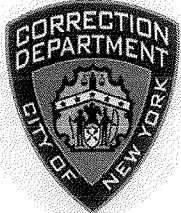
VII. REFERENCES (Cont.)

- H. Directive 7001R, "Investigation Division," dated 9/28/92.
- I. Operations Order 05/07, "Crime Scene Incident Management," dated 5/8/07.
- J. Inmate Rule Book.
- K. City of New York, Mayoral Executive Order No. 16.
- L. New York City Equal Employment Opportunity Commission Laws and Regulations.
- M. New York State Division of Human Rights Laws and Regulations.

VIII. ATTACHMENTS

- A. PREA Important Telephone Numbers (REVISED).
- B. Form PREA-2, "Intake Questionnaire" (Attachment C) (REVISED)."
- C. Form PREA-3, "PREA Safety Check - Reassessment" (REVISED).
- D. Form PREA-4, "Sexual Abuse Retaliation Monitoring" – (REVISED).
- E. Form PREA-5, "Sexual Abuse Incident Review (SAIR) Report" (REVISED).
- F. Form PREA-6, "Coordinated Institutional Response Plan Form" (REVISED).
- G. Form PREA-7, "Reporting to Other Confinement Facility Form" (REVISED).
- H. Form PREA-8, "Comprehensive PREA Orientation Attendance Log." (formerly "Inmate Acknowledgement Form")
- I. Form PREA-9, "PREA Staff Training Handout."
- J. Form PREA-10, "PREA Memo book Insert."
- K. Form HQ/SM 14, "Random Search Report."

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 44 OF 44 PAGES	



VIII. ATTACHMENTS (Cont.)

- L. Form 167R-A, "Injury to Inmate Report."
- M. Form 370, "Incident Report"
- N. Memorandum 01/08, "Undue Familiarity and Prevention of Sexual Abuse of Inmates by Staff and Other Inmates," dated 2/7/08.

IX. SUPERSEDES

- A. The language in this policy supersedes any other Directive, Operations Order, Teletype, Memorandum, etc., that may conflict with the policies and procedures outlined herein.
- B. Directive 5011, "Eliminating Sexual Abuse and Sexual Harassment," dated 5/2/16.

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 40 OF 44 PAGES	

VI. PROCEDURES (Cont.)


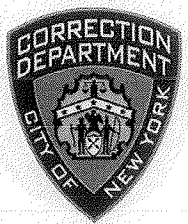
cases of sexual abuse shall also be referred to the District Attorney's office for criminal prosecution.

2. The manager or supervisor shall inform ID in writing of disciplinary action taken against the employee. He/she shall also advise ID in writing of actions taken as a result of other recommendations resulting from the ID investigation.
3. Managers or supervisors who fail to report or take appropriate action when sexual abuse or sexual harassment against inmates is alleged or has been brought to their attention or who fail to initiate disciplinary action shall also be subject to disciplinary action.
4. The Department shall impose discipline on an employee based on a substantiated finding that sexual abuse or sexual harassment has occurred. The Department may take separate and distinct disciplinary action against an employee who has been found to have acted in violation of the laws of the State of New York, MEO-16, the New York City Equal Employment Opportunity Commission, New York State Division of Human Rights, or any order by a New York State Court.
5. Staff prosecuted and found guilty of a sexual assault of an inmate under the New York State Penal Law will face registration as a sex offender, may be held financially liable, and is not indemnified by the City if sued as a result of their actions.

M. INMATE DISCIPLINE

1. Inmates shall be subject to disciplinary sanctions pursuant to the formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.
2. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.
3. The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 39 OF 44 PAGES	

VI. PROCEDURES (Cont.)

J. REPORTING TO OTHER CONFINEMENT FACILITIES

1. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, while in DOC custody or otherwise, the Warden of the facility where the inmate is currently located shall notify the Warden where the alleged abuse occurred and shall also notify the facility's Investigations Division PREA Tour Commander.
2. Notification shall be provided as soon as possible, but no later than seventy-two (72) hours after receiving the allegation.
3. The Warden that made the notification shall document that it has provided such notification to the head of the facility where the alleged abuse occurred on Form PREA-7, "Reporting to Other Confinement Facility" (Attachment H) and archive a copy of the form in the facility's designated folder, on the agency shared drive (Z), titled "Warden to Warden Communication."
4. The Commanding Officer or agency office that receives such notification shall ensure that the allegation is investigated in accordance with the PREA Standards.



K. CONFIDENTIALITY

1. Sexual abuse and sexual harassment complaints, including the identity of any witnesses, the alleged respondent, the alleged complainant, and all information and documents pertinent to the complaint shall be handled in a confidential manner.
2. Any inmate who observes and reports an act of sexual abuse or sexual harassment may request and be treated as a confidential informant.

L. EMPLOYEE DISCIPLINE

1. In cases where there is a substantiated finding of sexual abuse, sexual harassment, breach of confidentiality, or retaliation against staff and/or an inmate, the appropriate manager or supervisor shall ensure that disciplinary action is proposed in accordance with the regulations outlined in Department Rules, Regulations, Directives, Written Protocols, and Conflict of Interest Laws. The presumptive discipline for sexual abuse is termination. All substantiated



416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 38 OF 44 PAGES	

VI. PROCEDURES (Cont.)

- a. The facility shall establish a SAIRT made up of upper level management officials, with input from line supervisors, investigators, the PREA Coordinator or PCM, and medical and mental health practitioners.
- b. The SAIRT shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation that was determined to be substantiated or unsubstantiated and record the findings on Form PREA-5, "Sexual Abuse Incident Review Form."
- c. Such review shall ordinarily occur within thirty (30) days of the conclusion of the investigation.
- d. The review team shall:
 - i. Consider whether changes in policy or practice are needed to improve the prevention, detection, or response to sexual abuse incidents similar to the alleged incident;
 - ii. Consider whether race, ethnicity, gender identity, sexual orientation, gang affiliation, perceived status, or other group dynamics in the facility played a role;
 - iii. Consider whether physical barriers in the facility contributed to the incident or could enable abuse;
 - iv. Evaluate what staffing levels were at the time of incident and whether staffing levels need to be changed in light of the alleged incident;
 - v. Consider whether more or different video monitoring is needed;
 - vi. Prepare a report of its findings, including any recommendations for improvement and submit such report to the facility Warden, PREA Coordinator, and PCM;
 - vii. Implement the recommendations for improvement or document its reasons for not doing so.

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 37 OF 44 PAGES	



VI. PROCEDURES (Cont.)

the allegation is substantiated, ID shall forward a copy of the report to the Deputy Commissioner of ID (DC) for action.

- b. In cases involving an employee respondent, the Department shall ensure that appropriate disciplinary or criminal action consistent with the Rules and Regulations, are complied with.
- c. In cases involving an inmate, the DC, in conjunction with the Warden as necessary, shall ensure that appropriate disciplinary and/or criminal action is initiated.
- d. Following an investigation into an inmate's allegation that he or she suffered sexual abuse, the investigator or investigator's supervisor shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.
- e. Following an allegation made by an inmate that an employee has committed sexual abuse against the inmate, the Department will subsequently inform the inmate whenever:
 - i. The employee is no longer posted within the complainant's unit;
 - ii. The employee is no longer employed at the facility; or
 - iii. The Department learns the employee has been indicted or convicted on a charge related to sexual abuse within the facility;
- f. Following an allegation by an inmate that he or she has been sexually abused by another inmate, the Department shall subsequently inform the alleged victim whenever:
 - i. The Department learns that the respondent has been indicted for or convicted on a charge related to sexual abuse with the facility.
- g. All notifications or attempted notifications shall be documented.
- h. The Department's obligation to report under this section shall terminate if the complainant is released from Department custody.

4. Sexual Abuse Incident Review Team (SAIRT)

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 36 OF 44 PAGES	

VI. PROCEDURES (Cont.)

y. The facility will cooperate with outside investigators and the PCM shall endeavor to remain informed about the progress of all investigations of sexual abuse and sexual harassment.

2. Interim Procedures during Investigation of Staff Accused of Sexual Abuse and Sexual Harassment

a. Under appropriate circumstances and with the Deputy Commissioner of ID or his/her designee's approval, the respondent may be placed on administrative leave pending the outcome of an investigation.

b. To the extent possible, the respondent shall not be assigned to work in any area where he/she is likely to come into contact with the complainant pending the outcome of the investigation.

c. During the investigation, the respondent shall be prohibited from making contact with the alleged complainant other than as allowable in the performance of official duties and assignment.

d. The facility Warden or ID Deputy Commissioner (or his/her designee) shall decide if it is appropriate to return an employee to his/her original workplace after the investigation is completed.



e. When appropriate and necessary, the Warden may transfer the complainant, any witnesses, or a third-party informant to a comparable housing unit, to another facility, or make other appropriate housing accommodations to ensure their safety.

f. The Department shall not enter into any collective bargaining agreement or renew any collective bargaining agreement or other agreement that limits the Department's ability to remove staff accused of sexual abuse or sexual harassment from contact with any inmates pending the outcome of an investigation. The Department retains the right to determine whether and to what extent discipline is warranted on a case by case basis.

3. Post-Investigation Procedures

a. Investigators shall notify the Warden, PCM, and PREA Coordinator of the findings of all sexual abuse and sexual harassment investigations and forward documentation for appropriate action. If the findings conclude that



416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 35 OF 44 PAGES	

VI. PROCEDURES (Cont.)

- q. Employees have the right to legal or union representation at the time of an interview. Per MEO-16, Employee Standards of Conduct, and Directive 7001R, "Investigation Division," employees do not have the right to refuse to answer questions in an investigation once given Garrity warnings by the Investigator.
- r. If the respondent being interviewed has legal or union representation, the investigator shall explain that only the person being interviewed (the employee) shall answer the questions, but that the respondent has a right to speak to an attorney prior to being interviewed.
- s. Refusal by any employee to answer questions during an official investigation and/or during an MEO-16 interview may be grounds to charge the employee for cause under MEO-16.
- t. The Investigator shall advise each individual interviewed in the course of an investigation that any intimidation or retaliation towards the complainant, any witness, or the third-party informant or disclosure of the incident that breaches confidentiality as defined in this Directive is a separate offense that is subject to disciplinary action.
- u. The Investigator shall draft a statement detailing the testimony of the complainant, the alleged respondent, and any witnesses.
- v. The Investigator shall permit anyone interviewed the opportunity to read and make necessary corrections/changes to their statement prior to signing it. The name or identifying characteristics of any confidential informant shall be deleted from the copies of the report.
- w. The ID investigator shall submit the final written report to the ID Supervisor within sixty (60) business days (i.e. excluding Saturdays, Sundays, and legal holidays) of the incident being reported. The report shall include the Investigator's factual findings and whether the charges were substantiated, unsubstantiated, or unfounded.
- x. The Department shall obtain written reports from any local or State investigators or if DOI conducts an investigation and shall retain all written reports referenced above for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 34 OF 44 PAGES	

VI. PROCEDURES (Cont.)

party or witness to clarify facts, that information shall also be forwarded to the Investigator.

j. If ID determines that the complaint does not involve sexual abuse or sexual harassment, but involves a violation of another departmental policy, ID may conduct an investigation or refer the complaint to the appropriate department for disposition.

k. Where sexual abuse is alleged, the Department shall only use investigators who have received specialized investigation training.

l. DOI or ID Investigators conducting a criminal investigation shall:

i. Gather and preserve direct and circumstantial evidence including any available physical DNA evidence, photographs, and any available electronic monitoring data;

ii. Use recording devices to interview alleged victims, suspected perpetrators, and witnesses;

iii. Review prior complaints and reports of sexual abuse involving the suspected perpetrator.



m. When the quality of evidence appears to support criminal prosecution, ID or DOI shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

n. Investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse.

o. All investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, investigative facts and findings, and copies of all evidence where feasible.

p. The investigator shall contact the facility Warden and/or Deputy Warden of Administration directly for interview scheduling and coordination. All respondents shall receive advance notice of scheduled interviews and be advised of the right to legal representation.

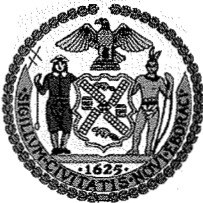

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 33 OF 44 PAGES	

VI. PROCEDURES (Cont.)

- b. DOI shall conduct investigations for sexual misconduct that involve staff-on-inmate allegations or allegations that involve alleged rape cases. After a preliminary review of the facts, DOI may elect to have the investigation conducted by ID.
- c. When the Department conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations including third-party and anonymous reports.
- d. If ID receives an allegation of sexual abuse or sexual harassment, the allegation shall be reported immediately to the Warden. ID shall provide follow-up written notification to the Warden, PCM, and PREA Coordinator by the close of the business day.
- e. ID shall notify local law enforcement of all cases of sexual abuse or sexual harassment to conduct a criminal investigation unless the allegation does not involve potentially criminal behavior. ID shall document all such referrals and publish its policy on the Department website.
- f. ID shall communicate with the local law enforcement agency concerning the status of any open investigation by local law enforcement. ID must document the status of a police investigation every thirty (30) days.
- g. ID shall review each report to determine whether the alleged conduct constitutes sexual abuse or sexual harassment as defined in this Directive. ID may interview the complainant and/or any third-party informants or witnesses to clarify facts concerning the allegation.
- h. If the complaint is referred for investigation, ID shall provide written notification to the complainant and the respondent advising of the complaint, investigation procedures, confidentiality requirements, and the prohibition of communication, intimidation, or retaliation against the complainant. If the complaint is a third party, the notice will be sent to the complainant.
- i. The ID Supervisor shall also forward the complaint to an ID Investigator. In cases where an interview was conducted with the complainant and/or third

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 32 OF 44 PAGES	

VI. PROCEDURES (Cont.)

- f. Offer timely information and timely access to emergency contraception and sexually transmitted infections prophylaxis in accordance with professionally accepted standards of care where medically appropriate to inmates who are victims of sexual abuse while incarcerated;
- g. Offer pregnancy tests to victims of sexually abusive vaginal penetration while incarcerated;
- h. Provide victims with timely and comprehensive information about all lawful pregnancy-related medical services should pregnancy occur from sexual abuse;
- i. Provide treatment services to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident;
- j. Submit reports of sexual allegations to the PCM, the PREA Coordinator, ID, the Warden, and the Health Services Administrator.



H. MEDICAL AND MENTAL HEALTH CARE: SPECIALIZED TRAINING

- 1. The Department shall ensure that all full-time medical and mental health care practitioners who work regularly in its facilities have been trained in:
 - a. How to detect and assess signs of sexual abuse and sexual harassment;
 - b. How to preserve physical evidence of sexual abuse;
 - c. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
 - d. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

I. INVESTIGATION

- 1. General Investigation Procedures
 - a. ID shall conduct investigations for sexual misconduct that involve inmate-on-inmate allegations.



416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 31 OF 44 PAGES	

VI. PROCEDURES (Cont.)

- e. Refer the complainant immediately to an outside emergency room (ER) certified to treat sexual abuse complainants and with SANEs or SAFEs on staff.
 - f. Ensure prompt evaluation and treatment;
 - g. Notify the ER that a sexual abuse complainant is on his/her way to the ER.
3. Evidence Protocol and Forensic Medical Examinations Procedures
 - a. Department staff and contracted medical staff shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions;
 - b. The Department shall offer all victims of sexual abuse access to a forensic medical examination. Such examinations shall be performed by SAFEs or SANEs where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners.
4. Upon return from the ER or upon hospital discharge, the medical and/or mental health staff shall:
 - a. Thoroughly review the discharge instructions and carry out orders as appropriate;
 - b. Validate if measures have been taken to prevent sexually transmitted diseases, HIV, and Hepatitis. If preventive measures have not been taken, preventive measures shall be offered;
 - c. Refer the victim to the mental health staff;
 - d. Refer the complainant to Safe Horizon for rape crisis counseling;
 - e. If the inmate was returned from the hospital to a new Department placement, obtain records and prior information from the medical and mental health staff at that facility;

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 30 OF 44 PAGES	

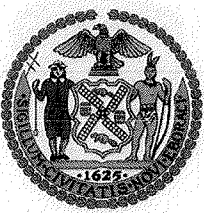

VI. PROCEDURES (Cont.)

2. The Tour Commander shall complete Form 370 and make the required notifications in accordance with the form. The Tour Commander shall give a copy of Form 370 to the PREA Coordinator and PCM by completion of his/her tour of duty.
3. The Tour Commander will make notifications to COD in accordance with Directive 5000R-A, "Reporting Unusual Incidents." COD shall then make notifications in accordance with Directive 5000R-A and await instructions from ID or DOI.
4. ID or DOI will communicate with the Tour Commander to give instructions on how to proceed.

G. MEDICAL AND MENTAL HEALTH TREATMENT

1. If a complainant alleges sexual abuse or sexual harassment, Department staff shall ensure the complainant is immediately given the necessary emergency medical treatment by medical staff without compromising the integrity of available physical evidence.
2. Medical Staff shall:
 - a. Obtain and record a description of the sexual abuse or assault in the alleged complainant's own words. The complainant will not receive a complete physical examination at the facility;
 - b. Request the complainant not bathe, shower, brush their teeth, remove any items of clothing, urinate, or have a bowel movement until seen at the referring hospital;
 - c. If a Department staff member is not yet aware of the incident, notify the highest-ranking Department staff employee immediately;
 - d. Record the general appearance (presence or absence of cuts, scratches, bruises, etc.) and demeanor of the complainant, as well as the condition of clothes (e.g., torn, stained, etc.);

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 29 OF 44 PAGES	

VI. PROCEDURES (Cont.)

7. Prohibited Contact

The supervisor must immediately take action that shall prohibit contact between the complainant and the respondent (if the respondent is an employee) while the matter is being investigated. If the respondent is not on duty at the time of the allegation, the Commanding Officer shall be required to ensure the above action is taken immediately upon the respondent's return to duty.

8. Separation Orders

The supervisor must immediately issue separation orders between the complainant and respondent if both are inmates in any case of sexual abuse or sexual harassment.

9. Housing

a. Efforts shall be made to minimize any disturbance to the alleged complainant's and respondent's housing location or program activities during the investigation of the allegation, however separation of the parties is a priority.

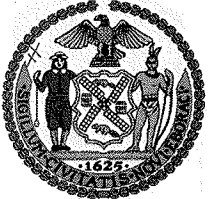

b. The alleged complainant shall only be placed in Protective Custody or Administrative Segregation in accordance with Directive 6007R-A, "Protective Custody" (with the exception that any inmate who has been placed in protective custody due to their high risk of sexual victimization, involuntarily. Such inmate shall have an assessment that there is no available alternatives means of separation from likely abusers within 24 hours. All other aspects of Directive 6007R-A, "Protective Custody" shall remain in full effect.)

c. The alleged complainant and respondent shall be immediately placed in separate housing areas. A housing interview shall be conducted in accordance with Directive 6007R-A.

F. TOUR COMMANDER RESPONSIBILITIES

1. The Tour Commander shall notify their facility Investigation Division PREA Tour Commander; upon clearance from ID the Tour Commander will notify COD, the Warden, the PCM, and the PREA Coordinator.

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 28 OF 44 PAGES	

VI. PROCEDURES (Cont.)

supervisor shall not conduct any inquiry or investigation into the circumstances related to the allegation unless the supervisor is a member of ID staff. ID shall notify local law enforcement when there are allegations of sexual abuse that are potentially criminal in nature.



4. The supervisor shall ensure that the reporting uniform staff member makes a logbook entry in the area COD logbook and prepares Form 167R-A.

5. The supervisor shall forward the original Form 370 to their facility Investigation Division PREA Tour Commander, the PCM, and the PREA Coordinator by the end of his/her tour of duty.

6. The supervisor shall, in cooperation with Medical, also:

- a. Ensure the complainant receives timely, unimpeded access to emergency medical treatment and crisis intervention services;
- b. Ensure that photographs are taken to document any physical evidence such as torn clothing, bruises, abrasions, etc.;
- c. If there is indication of sexual abuse, ensure the victim is transported to the local hospital for further treatment, examination, documentation, collection of forensic evidence, and testing for sexually transmitted diseases;
- d. Ensure referral for counseling and mental health services. This service may include ministerial staff;
- e. Ensure referral to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and/or telephone numbers, including toll-free hotline numbers where available, and contacting such organizations on the inmate's behalf when requested;
- f. Ensure the perpetrator is secured in a dry cell or holding cell restricting access to water or toilet facilities pending investigation of the incident;
- g. If the alleged perpetrator is an employee, ensure that the suspected employee is separated from the alleged victim pending completion of the investigation.

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 27 OF 44 PAGES	

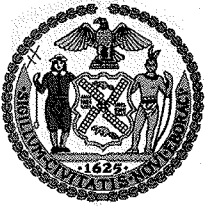

VI. PROCEDURES (Cont.)

- h. If the first staff responder is not a security staff member, the responder shall be required to request that the alleged complainant not take any actions that could destroy physical evidence and then notify security staff.
2. The responding staff member must submit Form 370, "Incident Report" (Attachment N), to the supervisor before the end of his/her tour of duty. The information in this report should indicate that a crime scene was secured. If no crime scene was secured, please indicate why. A copy of this Report shall be given to the investigative body conducting the investigation and the PCM.
3. The responding staff member shall notify the area supervisor immediately. The area supervisor must ensure that a crime scene has been established, the victim has been sent to medical, and he/she must contact the Tour Commander. The responding staff member must also fill out Form 167R-A, "Injury to Inmate Report" (Attachment M). A copy of this report shall be given to the investigative body conducting the investigation and the PCM.
4. Where the subject of the allegation is the Tour Commander, notification shall be made directly to a Deputy Warden. If the Deputy Warden is not on duty, the supervisor should call COD directly.
5. No statements shall be taken from the inmates or employees.

E. SUPERVISORY RESPONSIBILITIES

1. The on-duty supervisor shall immediately initiate necessary action, or verify that action has been taken, to protect all physical evidence and ensure the safety and welfare of the inmate. The supervisor may make a temporary administrative reassignment of the victim and/or alleged perpetrator to protect the inmates involved in accordance with Department Crime Scene policy.
2. The supervisor or designee will immediately question the complainant only to determine the suspect or suspects and where and when the sexual incident occurred. While all available information must be gathered and confirmed, medical assessment and physical evidence collection must not be delayed pending any initial investigation of the incident.
3. The supervisor shall immediately notify their facility Investigation Division PREA Tour Commander, ID and/or DOI, the PCM, and the PREA Coordinator of any allegation of sexual abuse or sexual harassment defined in this Directive. The

416R



	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 26 OF 44 PAGES	

VI. PROCEDURES (Cont.)**D. FIRST RESPONDER RESPONSIBILITIES**

1. Upon receipt of notification of a sexual abuse complaint or upon observing an incident of sexual abuse, Department staff shall take the following steps:

- a. Ensure the victim's safety by separating the victim from the alleged abuser.
- b. Stay with the complainant and notify the area supervisor (if the complainant is under eighteen (18), a notification shall be made by a supervisor to the New York State Central Register of Child Abuse and Maltreatment, Mandated Reporter number [child abuse reporting hotline]) (see Attachment A).
- c. Immediately secure the potential crime scene and ensure it is protected.
- d. Request that the victim not shower, eat, brush teeth, drink, change clothes, use the restroom, or take any actions that could destroy physical evidence until after evidence has been collected by qualified medical personnel.
- e. Ensure the alleged aggressor not shower, eat, brush teeth, drink, change clothes, use the restroom, or take any actions that could destroy physical evidence until after evidence has been collected by qualified medical personnel. Upon ensuring all these requirements have been met, the inmate aggressor shall be afforded medical attention as soon as it is feasible and in accordance with existing Department policy. Every effort shall be made to preserve any physical evidence while treatment is administered.
- f. Ensure the victim is escorted to the facility medical unit as soon as possible for appropriate assessment and treatment.
- g. If there are no qualified medical or mental health practitioners on duty at the time a report is made, security staff first responders shall take preliminary steps to protect the victim and secure the aggressor then shall immediately notify the facility's designated medical and mental health practitioner.

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 25 OF 44 PAGES	

VI. PROCEDURES (Cont.)

- c. Confidential Hotline: Any staff may also make a private report of sexual abuse or sexual harassment of inmates through the DOI twenty-four (24) hour hotline, the PREA internal hotline, or via a call to 311 and asking for "Constituent Services" (see Attachment A).

2. Housing Assessment

- a. For inmate-on-inmate allegations, before an inmate is returned to the housing area, the Tour Commander shall ensure that the inmate's housing status is evaluated to determine the need for transfer within the facility or to another facility. The Tour Commander shall also ensure that the alleged victim is separated from the alleged perpetrator pending investigation. In all cases, Separation Orders shall be issued immediately until such time as an investigation determines that they are not necessary.
- b. For staff-on-inmate allegations, before the inmate is returned to the housing area, ID shall communicate with the facility to ensure that the inmate's housing area is assessed to determine the need to transfer the inmate to another facility or transfer the staff member to another housing area and/or facility.



3. Confidentiality

Employees shall not discuss any aspect of the allegation with other employees or inmates except in accordance with this Directive.

C. THIRD PARTY REPORTING

1. Third Party reporting includes reporting by fellow inmates, employees, family members, attorneys, and outside advocates. Third parties shall be permitted to assist inmates in filing grievances relating to allegations of sexual abuse and sexual harassment and shall also be permitted to file third party reports by any method. All such reports shall be investigated.
2. The Department's public website shall also provide information on how to report sexual abuse and sexual harassment on behalf of an inmate.

416R

	EFFECTIVE DATE 5/31/19	SUBJECT ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT		
	CLASSIFICATION # 5011R-A			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 24 OF 44 PAGES	

VI. PROCEDURES (Cont.)

7. An inmate who makes a report of sexual abuse that is determined to be a false report may be charged with a disciplinary offense if it is determined the report was made in bad faith following the investigation as stated in Inmate Rule Book, §112.50.

8. Inmates shall not be charged for reports of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred. Such reports shall not constitute falsely reporting an incident or lying even if an investigation does not establish evidence sufficient to substantiate the allegation.

9. **Victim Advocacy Emotional Support**

Inmates may call Safe Horizon, a rape crisis center, to report sexual abuse and sexual harassment and to request victim advocacy and/or emotional support services.

B. REPORTING PROCEDURES FOR STAFF

1. Any employee who receives any information, from any source, concerning sexual abuse or sexual harassment or who observes an incident of sexual abuse or sexual harassment is required to do the following:

a. **Verbal Notification:** Staff shall immediately report the information or incident directly through their chain of command to include their immediate supervisor. The supervisor shall make sure that the scene has been secured and that the victim was sent to medical. The Tour Commander shall notify their facility Investigation Division PREA Tour Commander, COD, the Warden, the facility PCM and/or PREA Ambassador/s and the PREA Coordinator. Any allegation of sexual activity as defined in this Directive shall be reported as a possible sexual abuse or sexual harassment. The employee shall not conduct any inquiry or investigation into the circumstances related to the allegation.

b. **Written Notification:** Staff shall submit a written report providing any information received or observed that concerns sexual abuse or sexual harassment to the Tour Commander. The Tour Commander shall submit the report to the Warden or the highest-ranking official on duty, their facility Investigation Division PREA Tour Commander, the PCM, and the PREA Coordinator before the end of his/her workday.